

**CITY OF
HOLLISTER
PERSONNEL POLICIES**

DECEMBER 2011

Welcome to the City of Hollister

Dear Employee:

I am very happy to welcome you to the City of Hollister. Thank you for joining us! We want you to feel that your association with the City of Hollister will be a mutually beneficial and pleasant one.

You have joined a municipality that has established an outstanding reputation for quality services to its Citizens. Credit for this goes to every one of our employees. We hope you too, will find satisfaction and take pride in your work here.

This Personnel Policies Manual provides answers to most of the questions you may have about the City's benefit programs, as well as the City policies and procedures we abide by, our responsibilities to you and your responsibilities to the City. If anything is unclear, please discuss the matter with your supervisor. You are responsible for reading and understanding this Manual, and your performance evaluations will reflect your adherence to City policies. In addition to clarifying responsibilities, we hope it gives you an indication of the City of Hollister's interest in the welfare of all who work here.

From time to time, the information included in our Manual may change. Every effort will be made to keep you informed through suitable lines of communication, including postings on the city bulletin boards, the city website and/or notices sent directly to you in-house through your Supervisor.

Compensation and personal satisfaction gained from doing a job well are only some of the reasons most people work. Most likely, many other factors count among your reasons for working, pleasant relationships and working conditions, career development and promotion opportunities, and health benefits are just a few. The City of Hollister is committed to doing its part to assure you of a satisfying work experience.

I extend to you my personal best wishes for your success at the City of Hollister.

Sincerely,

Rick Ziegenfuss
City Administrator

You're Part of the Team...

As a member of Hollister's team, you will be expected to contribute your talents and energies to improve the environment and quality of the city, as well as the city's services. In return, you will be given opportunities to grow and advance in your career.

The City of Hollister is dedicated to two standards:

1. To provide our Citizens with the highest quality services at the best value possible.
2. To provide you with wages and benefits comparable to others doing similar work within municipal government and within the region.

In Hollister, we always put safety first. We believe it is our duty to provide you with as safe a workplace as we possibly can. For your protection, we have an in-house safety inspection program and we enlist the services of outside safety consulting firms contracted by our insurance carrier. We also have a substance abuse policy, because you have a right to know you can depend on your co-workers.

The only things we require for employment, compensation, advancement, and benefits are performance and a good team attitude; however, all employment at Hollister is "at will." No one will be denied opportunities or benefits on the basis of age, sex, sexual orientation, color, race, creed, national origin, religious persuasion, marital status, political belief, or disability that does not prohibit performance of essential job functions; nor will anyone receive special treatment for those reasons.

Your Various Benefits with the City of Hollister

You may not have thought about it, but the value of your benefits amounts to a considerable sum each year in addition to the wages or salary you earn.

These are some of the benefits Hollister provides for eligible employees each year:

- Annual Employee Meeting
- Family Leave
- Funeral (Bereavement) Leave
- Group Term Life Insurance
- Health Care/Hospitalization Insurance
- Leave of Absence
- Military Leave
- Paid Holidays
- Paid Safety Day(s)
- Paid Vacations
- Personal Leave
- Personal Holiday
- Retirement Plan
- Safety Luncheon
- Service Awards-Lapel Pins
- Sick Leave
- Social Security
- Training seminars applicable to job performance
- Unemployment Compensation Insurance
- Workers' Compensation Insurance

That's a lot to think about!

Purpose of This Personnel Policies Manual

This manual has been prepared to inform you about Hollister's history, philosophy, employment practices, and policies, as well as the benefits provided to you as a valued employee and the conduct expected from you.

No Personnel Policies Manual can answer every question, nor would we want to restrict the normal question and answer exchange among us. It is in our person-to-person conversations that we can better know each other, express our views, and work together in a harmonious relationship.

We hope this manual will help you feel comfortable with us. We depend on you; your success is our success. Please don't hesitate to ask questions. Your Supervisor will gladly answer them. We believe you will enjoy your work and your fellow employees here. We also believe you will find the City of Hollister a good place to work.

We ask that you read this Personnel Policies Manual carefully, and refer to it whenever questions arise. We also suggest that you share it with your family so they can become familiar with our policies.

Hollister's policies, benefits and rules, as explained in this manual, may be changed from time to time as business, employment legislation, and economic conditions dictate. If and when provisions are changed, those that have become outdated will be replaced.

Notice

The policies in this Manual are to be considered as guidelines. Hollister, at its option, may change, delete, suspend or discontinue any part or parts of the policies in it at any time without prior notice. Any such action shall apply to existing as well as future employees with continued employment being the consideration between the employer and employee. Employees may not accrue eligibility for monetary benefits that they have not earned through actual time spent at work. Employees shall not accrue eligibility for any benefits, rights, or privileges beyond the last day worked. No one other than the City Administrator of the City of Hollister may alter or modify any of the policies in this Manual. No statement or promise by a Supervisor, or department head may be interpreted as a change in policy, nor will it constitute an agreement with an employee.

Should any provision in this Manual be found to be unenforceable and invalid, such finding does not invalidate it, but only the subject provision.

This manual replaces (supersedes) all other previous manuals for Hollister as of the date of its adoption, DECEMBER 2011.

This manual is not a contract guaranteeing employment for any specific duration. Either you or the City may terminate this relationship at any time. We wish you the best of luck and success in your position, and we hope your employment relationship with the City of Hollister will be a rewarding experience.

City of Hollister Personnel Policies Manual

Acknowledgement

This Personnel Policies Manual is an important document intended to help you become acquainted with the City of Hollister. This manual will serve as a guide; it is not the final word in all cases. Individual circumstances may call for individual attention.

Because the State, Federal and local laws affecting the City of Hollister, and economic conditions are always changing, the contents of this manual may be changed at any time at the discretion of the City of Hollister. No changes in any benefit, policy or rule will be made without due consideration of the mutual advantages, disadvantages, benefits and responsibilities such changes will have on you as an employee and on the City of Hollister.

Please read the following statements and sign below to indicate your acknowledgement of the City of Hollister Personnel Policies Manual.

- I have read the online version of the Hollister Personnel Policies Manual at www.cityofhollister.com. I understand that the policies, rules and benefits described in it are subject to change at the sole discretion of the City of Hollister at any time. I understand that this manual replaces (supersedes) all other previous manuals for Hollister as of DECEMBER 2011.
- I further understand that my employment is terminable "at will", either by myself or the City of Hollister, regardless of the length of my employment or the granting of benefits of any kind, following specified procedures.
- I understand that no contract of employment other than "at will" has been expressed or implied, and that no circumstances arising out of my employment will alter my "at will" employment relationship.
- I am aware that during the course of my employment confidential information will be made available to me, i.e., customer lists, personnel files, and other related information. I understand that this information is critical to the success of Hollister and must not be given out or used outside of Hollister's premises or with non-Hollister City employees. In the event of termination of employment, whether voluntary or involuntary, I hereby agree not to utilize or exploit this information with any other individual or City.
- I understand that, should the content be changed in any way, Hollister may require an additional signature from me to indicate that I am aware of and understand any new policies.
- I understand that my signature below indicates that I have read and understand the above statements.

ACKNOWLEDGEMENT OF POLICIES MANUAL

Employee's Printed Name

Job Description

Employee's Signature

Date

City's Signature

Date

WAGE DEDUCTION AUTHORIZATION

At the termination of my employment, I hereby authorize the City of Hollister to deduct from my final paycheck any funds that are owed to the City.

Employee's Signature

Date

City's Signature

Date

REFERENCE RELEASE WAIVER

At the termination of my employment, I hereby authorize the City of Hollister to provide the following employment related information, upon request: position held, dates of employment, salary/hourly pay rate at time of termination.

Employee's Signature

Date

City's Signature

Date

The signed original copy of this agreement is given to the City Clerk to be filed in your personnel file.

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City of Hollister Organization Chart

| Executive Department | Administration Department | Building Department | Police Department | Public Works Dept | WWTP Department | Parks Department |
|-----------------------------|----------------------------------|---------------------------------|--------------------------|------------------------------------|------------------------|-------------------------|
| City Administrator | City Clerk | Director of Building & Planning | Police Chief | Public Works Supervisor | WWTP Supervisor | Parks Director |
| Asst City Administrator | Deputy City Clerk | Building & Planning Inspector | Sergeant | Public Works I | WWTP Operators | Parks Maintenance |
| Administrative Assistant | Utility Clerk | | Investigator | Public Works II Equipment Operator | | |
| Finance Officer | Municipal Court Clerk | | Police Officer | Meter Technician | | |
| Finance Specialist | Office Clerk | | Dispatch Supervisor | Mechanic | | |
| | | | Dispatcher | | | |
| | | | Records Specialist | | | |

What You Can Expect From the City of Hollister

Hollister's established employee relation policy is to:

1. Operate an economically successful city government so that a consistent level of steady work is available.
2. Select people on the basis of skill, training, ability, attitude, and character without discrimination with regard to age, sex, sexual orientation, color, race, creed, national origin, religious persuasion, marital status, political belief, or disability that does not prohibit performance of essential job functions.
3. Pay all employees according to their effort and contribution to the success of our city.
4. Review wages, employee benefits and working conditions constantly with the objective of providing maximum benefits in these areas, consistent with sound business practices.
5. Provide paid vacations and holidays to all eligible employees.
6. Provide eligible employees with medical, ~~disability~~, retirement and other benefits.
7. Develop competent people who understand and meet our objectives, and who accept with open minds the ideas, suggestions and constructive criticisms of fellow employees.
8. Assure employees, after talking with their Supervisor, an opportunity to discuss any problem with the City Administrator or appropriate elected official.
9. Make prompt and fair adjustment of any complaint that may arise in the everyday conduct of our business, to the extent that is practicable.
10. Respect individual rights, and treat all employees with courtesy and consideration.
11. Maintain mutual respect in our working relationship.
12. Provide buildings and offices that are attractive, comfortable, orderly and safe.
13. Promote employees on the basis of their ability and merit.
14. Make promotions or fill vacancies from within the City work force whenever possible.
15. Keep all employees informed of the progress of Hollister, as well as the City's overall aims and objectives.
16. Do all these things in a spirit of friendliness and cooperation so that the City will continue to be known as "a great place to work!"

What the City of Hollister Expects From You

Your first responsibility is to know your own duties and how to do them promptly, correctly and pleasantly. Secondly, you are expected to cooperate with management and your fellow employees and maintain a good team attitude. How you interact with fellow employees and those whom Hollister serves, and how you accept direction can affect the success of your department. In turn, the performance of one department can impact the entire service offered by the City of Hollister. Consequently, whatever your position, you have an important assignment: perform every task to the very best of your ability. The result will be better performance for the City overall and personal satisfaction for you.

You are encouraged to grasp opportunities for personal development that are offered to you. This manual offers insight on how you can positively perform to the best of your ability to meet and exceed the City's expectations.

We strongly believe you should have the right to make your own choices in matters that concern and control your life. We believe in direct access to management. We are dedicated to making Hollister a city where you can approach your Supervisor, or any member of management, or elected official to discuss any problem or question. We expect you to voice your opinions and contribute your suggestions to improve the quality of Hollister. (Please take a look at the section describing the submission of Suggestions.) We're all human, so please communicate with each other and with management.

Remember, you help create the healthful, pleasant and safe working conditions that Hollister intends for you. Your dignity and that of fellow employees, as well as that of our customers, is important.

Hollister needs your help in making each working day enjoyable and rewarding.

1.

Employment

Personnel Administration

1.010 Personnel Administration

The task of handling personnel records and related personnel administration functions at Hollister has been assigned to the City Clerk. Questions regarding insurance, wages, and interpretation of policies and ordinances may be directed to the City Clerk.

1.015 Your Personnel File

Keeping your personnel file up-to-date can be important to you with regard to pay, deductions, benefits and other matters. If you have a change in any of the following items, please be sure to notify your Supervisor or City Clerk as soon as possible. If the Supervisor is notified they shall give the information to the City Clerk.

1. Legal name
2. Health-Care/dependent coverage
3. Home address
4. Home telephone number
5. Person to call in case of emergency
6. Number of dependents
7. Marital status
8. Change of beneficiary
9. Driving record or status of driver's license, if you operate any City vehicles
10. Military or draft status
11. Exemptions on your W-4 tax form

Coverage or benefits that you and your family may receive under City's benefits package could be negatively affected if the information in your personnel file is incorrect.

Since the City refers to your personnel file when we need to make decisions in connection with promotions, transfers, layoffs and recalls, it's to your benefit to be sure your personnel file includes information about completion of educational or training courses, outside civic activities, and areas of interest and skills that may not be part of your current position here.

You may see information, which is kept in your own personnel file if you wish, and you may request and receive copies of all documents you have signed. Please ask your Supervisor to make arrangements for you, with the City Clerk.

Employment Classifications

1.020 Full-Time Employees

At the time you are hired, you are classified as full-time, part-time or seasonal/temporary and are also told whether you qualify for overtime pay. Unless otherwise specified, the benefits described in this manual apply only to full-time employees. All other policies described in this manual and communicated by the City apply to all employees, with the exception of certain wage, salary and time off limitations applying only to “non-exempt” (see the definition that follows) employees. If you are unsure of which job classification your position fits into, please ask your Supervisor.

An employee who has successfully completed the probationary period (see the Employment Policies section for definition) of employment and who works at least thirty-five (35) hours per week is considered a full-time employee.

Full time employees will receive various benefits afforded by the City of Hollister.

At the direction of your Supervisor, individual hours may be rescheduled in any given week to maintain appropriate workflow.

If you were a full-time employee and were laid off, you will be considered a full-time employee upon return to work, provided that you were not on layoff for longer than one (1) year.

If you were a full-time employee and have been on an approved leave of absence, upon return you will be considered a full-time employee, provided you return to work as agreed in the provisions of your leave.

1.025 Part Time Employment

An employee hired to work 20 hours or more, but less than thirty-five (35) hours per week is considered a part-time employee. If you are a part-time employee, please understand you shall be eligible for holidays, sick leave, and vacation leave based on your pro-rata percentage of a full time work schedule. Health and dental insurance is not available.

1.030 Seasonal or Temporary Employees

From time to time, the City may hire employees for specific periods of time or for the completion of a specific project. An employee hired under these conditions will be considered a seasonal or temporary employee. The job assignment, work schedule and duration of the position will be determined on an individual basis.

Normally, a temporary position will not exceed six (6) months in duration, unless specifically extended by a written agreement. Summer employees are considered temporary employees.

If you are a temporary employee, please understand that you are not eligible for benefits described in this manual, except for unemployment insurance, worker's compensation, and social security. Those temporary employees classified as "non-exempt" (see the definition that follows) who work more than forty (40) hours during any workweek will receive overtime pay.

1.035 “Non-Exempt” and “Exempt” Employees

At the time you are hired, all employees are classified as either “exempt” or “non-exempt.” This is necessary because, by law, employees in certain types of jobs are entitled to overtime pay for hours worked in excess of forty hours (40) per work week and the Police Department is forty-three hours (43) hours per work week. These employees are referred to as “non-exempt” in this manual. This means that they are not exempt from (and therefore should receive) overtime pay.

Note: See “Wage & Salary Policies” in the “Compensation & Performance” section of this manual for a full description of overtime payment policies.

Exempt employees are Supervisors, Department Heads and others whose duties and responsibilities allow them to be “exempt” from overtime pay provisions as provided by the Federal Fair Labor Standards Act (FLSA) and any applicable State laws. If you are an exempt employee, you will be advised that you are in this classification at the time you are hired, transferred or promoted.

Employment Policies

1.040 Employment Policies

Whether you are a new hire or a former employee returning to the City, you may feel a little strange in your new surroundings. This is a normal feeling and is expected. Your fellow employees, especially your Supervisor, want to help you get off to a good start. Feel free to ask them for help concerning anything you don't understand.

One of the first things you should do is carefully read this Employee Manual. It is designed to answer many of your questions about the practices and policies of the City, what you can expect from the City, and what the City expects from you.

1.045 Age

The minimum age for employment as a regular employee shall be eighteen (18) years of age, except Police personnel and the City Clerk, which must be twenty-one (21) years of age. The minimum age for seasonal or temporary employment shall be sixteen (16) years of age. Mandatory retirement is eliminated except for Law Enforcement Officers, whose maximum age for employment shall be seventy (70) years of age.

1.050 Anniversary Date

The first day you report to work is your "official" anniversary date. Your anniversary date is used to compute various conditions and benefits described in this Manual.

1.055 Aptitude & Ability Tests

If you have a disability, which will affect your ability to take such a test, it is important that you advise a City representative of this so that a reasonable accommodation can be arranged. Requested accommodations may include accessible testing sites, modified testing conditions, and accessible testing formats. The City reserves the right to require medical documentation concerning the need for the accommodation.

1.060 “At Will” Employment

All employment and compensation with the City is "at will" which means that your employment can be terminated with or without cause, and with or without notice, at any time, at the option of either the City or yourself, except as otherwise provided by law.

1.065 Bonding Requirement

Under certain circumstances, the City may require that you be bonded. It is your responsibility to assure that you are bondable. The City will pay the cost of bonding. Should you fail to maintain these qualifications, you will be subject to transfer to another position, if available, or dismissal.

1.070 Business Hours

City Hall's regular operating hours are 8:00 A.M. to 5:00 P.M. Monday through Friday.

Your particular hours of work and the scheduling of your lunch period and breaks will be determined and assigned by your Supervisor. Most employees are assigned to work a forty (40) hour workweek. **You are required to take an unpaid lunch period daily; please understand that you may not "work through lunch" in order to arrive late or to leave early or to work extra time unless previously approved by your Supervisor.** You will not be allowed to work periods of time not appropriated during your hiring period without prior approval of your Supervisor.

1.075 Confidential Information

Our citizens and suppliers entrust the City with important information relating to their business. The nature of this relationship requires maintenance of confidentiality. In safeguarding the information received, the City earns the respect and further trust of our citizens and suppliers.

Your employment with the City assumes an obligation to maintain confidentiality, even after you leave our employ.

Any violation of confidentiality seriously injures the City's reputation and effectiveness. Therefore, please do not discuss City, Police, or Court business with anyone who does not work for us, and never discuss business transactions with anyone who does not have a direct association with the transaction. Even casual remarks can be misinterpreted and repeated, so develop the personal discipline necessary to maintain confidentiality. If you hear, see or become aware of anyone else breaking this trust, consider what he or she might do with information they get from you.

If you are questioned by someone outside the City or your department and you are concerned about the appropriateness of giving them certain information, remember that you are not required to answer. As politely as possible, refer the request to your Supervisor, a person more qualified to respond, or the City Administrator.

No one is permitted to remove or make copies of any City records, reports or documents without prior management approval. No exception will be tolerated.

Because of its seriousness, disclosure of confidential information could lead to dismissal.

1.080 Customer Relations

The success of the City of Hollister depends upon the quality of the relationships between the City, our employees, our customers, our suppliers and the general citizenry. Our customers' and citizens impression of the City and their interest and willingness to cooperate with us is greatly formed by the people who serve them. In a sense, regardless of your position, you are an ambassador for the City of Hollister. The more goodwill you promote, the more our citizens will respect and appreciate you, the City and the City's services.

Here are several things you can do to help give our citizens a good impression of the City:

1. Act competently and deal with customers in a courteous and respectful manner.
2. Communicate pleasantly and respectfully with other employees at all times.
3. Follow up on work orders and questions promptly, provide businesslike replies to inquiries and requests, and perform all duties in an orderly manner.
4. Take great pride in your work and enjoy doing your very best.

These are the building blocks for you and the City's continued success. Thank you for adding your support.

1.085 Driver's License & Driving Record

- This need only apply to employees who are required to drive as part of their job or who on occasion drive a City vehicle.

Employees whose work requires operation of a motor vehicle must present and maintain a valid driver's license, or valid CDL license and a driving record acceptable to our insurer. The City may check your driving record from time to time. Any changes in your driving record must be reported to the City Clerk immediately. Any adverse change of your driving record may affect your employment status resulting in disciplinary action, including possible dismissal.

Note: See "Traffic Violations" and "Use of City Vehicle" in the "Other Policies" section of this manual for further information.

1.090 Equal Employment Opportunity

Hollister has a long-standing record of nondiscrimination in employment and opportunity because of race, color, religion, creed, national origin, ancestry, disability, sex, sexual orientation, or age. The City has issued the following policy stating the City's views in this matter:

It is the policy of the City to:

- Strictly follow personnel procedures that will ensure equal opportunity for all people without regard to race, color, religion, creed, national origin, sex, sexual orientation, age, ancestry, marital status, disability, veteran or draft status.
- Comply with all the relevant and applicable provisions of the Americans with Disabilities Act ("ADA"). City will not discriminate against any qualified employee or job applicant with respect to any terms, privileges, or conditions of employment because of a person's physical or mental disability.
- Make reasonable accommodations wherever necessary for all employees or applicants with disabilities, provided that the individual is otherwise qualified to safely perform the duties and assignments connected with the job and provided that any accommodations made do not require significant difficulty or expense.
- Achieve understanding and acceptance of City's policy on Equal Employment Opportunity by all employees and by the community.
- Thoroughly investigate instances of alleged discrimination and take corrective action if warranted.
- Be continually alert to identify and correct any practices by individuals that are at variance with the intent of the Equal Employment Opportunity Policy.

At this time, the City would like to reaffirm this policy and call upon all personnel to effectively pursue the policy as stated. Please check the employee information bulletin board for all related equal opportunity and job announcements.

Note: Throughout this Employee Manual, masculine pronouns such as he, his, or him shall be construed as gender neutral.

1.095 Fair Labor Standards Act

All records maintained by the City shall be in compliance with the Fair Labor Standards Act as amended January 16, 1987, and with all other Federal and State governing regulations concerning employees, payroll, and payroll taxes.

1.100 Former Employees

Depending on the circumstances, the City may consider a former employee for re-employment. Such applicants are subject to the City's usual pre-employment procedures. To be considered, an applicant must have been in good standing at the time of their previous termination of

employment with the City and must have provided at least two weeks advance notice of their intention to terminate their employment with the City.

1.105 Former Employees - Reinstatement of Benefits

In the event you return to work for the City, regardless of the length of your previous employment and length of time since you terminated your employment with the City, your benefits shall accrue as if you were a new/first-time City employee.

1.110 Harassment – Including Sexual Harassment Policy

1. Purpose. To establish the City's position on the subject of harassment, to set forth guidelines for handling violations of the policy, and to specify the related complaint-handling procedure.

2. Scope. This policy applies to all employees. Furthermore, executive management will establish appropriate procedures to insure that non-employees (vendors, contractors, trades people, etc.) on our premises are also made aware of the intent of this policy.

3. Policy.

a. Harassment, including sexual harassment, is contrary to basic standards of conduct between individuals and is prohibited by Equal Employment Opportunity Commission and State regulations. Any employee who engages in any of the acts or behavior defined below violates City policy, and such misconduct will subject an employee to corrective action up to and including immediate discharge.

b. Employees who feel they have been discriminated against on the basis of sex, or sexually or in any other manner harassed, should immediately report such incidents, following the procedure described below, without fear of reprisal. Confidentiality will be maintained to the extent permitted by the circumstances.

4. Definitions. For the purposes of this Section, the following terms shall be deemed to have the meaning indicated below:

EMPLOYEE: Any employee of the City including officials, managers and supervisors.

HARASSMENT: Verbal, physical or visual conduct of a racial, ethnic or other type which, in the employee's opinion, impairs his or her ability to perform the job.

SEXUAL HARASSMENT: Sexual harassment includes unwelcome sexual advances or visual, verbal or physical conduct of a sexual nature. This definition encompasses many forms of offensive behavior, including gender-based harassment of a person of the same sex as the harasser, conduct of a sexual nature that creates an offensive, intimidating or hostile work environment; and coerced sexual conduct by a person in a position of authority in the workplace.

Examples of prohibited sexual harassment include:

- a. Unwelcome sexual flirtation or advances.
- b. Offering employment, promotions or other benefits in exchange for sexual favors.
- c. Making or threatening reprisals for refusing sexual advances.
- d. Non-Verbal conduct such as leering; making sexual gestures; displaying sexually suggestive objects or pictures; cartoons or posters; suggestive or obscene letters, notes or invitations.
- e. Verbal conduct such as derogatory comments; epithets; slurs; sexual innuendo; sexual jokes; graphic verbal commentaries about an individual's body; sexually degrading words used to describe an individual.
- f. Physical conduct such as unwanted, suggestive or offensive touching; assault; impeding or blocking movement.

Sexual or other forms of harassment of an employee by any City employee, supervisor or manager will not be tolerated. Sexual harassment by a non-employee, for example, a customer, vendor or supplier, is also prohibited.

5. Procedure. Complaints of harassment of any type will be handled through the City's Personnel Policy, which provides several options by which an employee may initiate action on a job related complaint. An employee may report to their immediate Supervisor, the City Administrator, and/or any level of management the employee chooses.

1.115 Health Examinations

The City reserves the right to require an employee to participate in a health examination to determine the employee's fitness to perform his/her essential job functions. The City shall pay for all such health exams.

1.120 How You Were Selected

We carefully select our employees through written application, personal interview and reference checks. After all available information was carefully considered and evaluated; you were selected to become a member of our team.

This careful selection process helps the City to find and employ people who are concerned with their own personal success and the success of the City; people who want to do a job well and who can carry on their work with skill and ability; and people who are comfortable with the City and who can work well with our team.

1.125 Investigation Release - Disclaimer Form

All job applicants shall sign an investigation release and disclaimer form to be eligible for employment with the City of Hollister.

1.130 Job Descriptions

Every position with the City shall have a job description. The job description shall consist of job title, classification, revision date, description of duties & responsibilities, qualifications-education and/or experience, physical demand, and work environment.

Job descriptions shall be on file in the City Clerk's office and be in full force and effect as if fully set out herein.

All changes to job descriptions will be approved by the City Administrator.

When your duties and responsibilities are changed, your job description will be updated.

1.140 Knowledge of the City of Hollister

After having learned to competently perform your own duties, your next step is to familiarize yourself with other City activities. This can prove valuable to you, our customers and the City as well. The City may provide additional “cross-training.”

Knowledge of the services of the City will help you avoid the “I don't know” syndrome. Our citizens' confidence in you increases, as you are able to answer their basic questions. However, please don't pretend you know the answer or try to guess the answer when you are uncertain. If you are unsure of the correct information, refer the inquiry to your Supervisor, or to a person more qualified to respond.

1.145 Outside Employment

If you are employed by the City in a full-time position, the City will expect that your position here is your primary employment. Any outside activity must not interfere with your ability to properly perform your job duties with the City.

If you are thinking of taking a second job, you are required to notify your Supervisor, in writing, immediately. He or she will thoroughly discuss this opportunity with you to make sure that it will not interfere with your job at the City, pose a conflict of interest, promote detrimental or unethical behavior in relation to your job classification.

Self-employment and/or part time employment will not be allowed during hours an employee is on duty with the City, nor on City property or equipment.

1.150 Probationary Period

Your first 180 days of employment at the City are considered a Probationary Period and during that period you will accrue benefits described in this Employee Manual with the exception of health benefits, (health benefits become affective 180 days from the hire date) unless otherwise required by law, and the retirement program (6 months). This Probationary Period will be a time for getting to know your fellow employees, your Supervisor and the tasks involved in your job position, as well as becoming familiar with City services. Your Supervisor will work closely with you to help you understand the needs and processes of your job.

This Probationary Period is a try-out time for both you, as an employee, and the City, as an employer. During this Probationary Period, the City will evaluate your suitability for employment, and you can evaluate the City as well. At any time during this first 180 days you may resign without any detriment to your record. If, during this period, your work habits, attitude, attendance or performance do not measure up to our standards, the City may release you. If you take **approved** time off in excess of five workdays for any reason during the Probationary Period, the Probationary Period may be extended by that length of time.

At the end of the Probationary Period, your Supervisor will discuss your job performance with you. This review will be much the same as the normal job performance review that is held for regular full-time or part-time employees on an annual basis. At this time a written appraisal will be completed. During the course of the discussion, you are encouraged to give your comments and ideas as well.

Please understand that completion of the Probationary Period does not guarantee continued employment for any specified period of time, nor does it require that an employee be discharged only for "cause."

A former employee who has been rehired after a separation from City of more than one (1) year is considered a Probationary employee during their first 180-day period following rehire.

1.155 Proof of U.S. Citizenship and/or Right to Work

Federal regulations require that 1) before becoming employed, all applicants must complete and sign Federal Form I-9, Employment Eligibility Verification Form; and 2) all applicants who are hired need to present documents of identity and eligibility to work in the U. S.

1.160 Relatives/Nepotism

All regulations regarding nepotism are adopted as required by the State Statutes of the State of Missouri and the Attorney General.

What is nepotism?

“Bestowal of patronage by public officers in appointing others to positions by reason of blood or marital relationship to appointment authority.”

Any public officer or employee, elected or appointed, in this state who by virtue of their office or employment names or appoints to public office or employment any relative within the fourth degree of consanguinity or affinity, shall thereby, forfeit his office or employment. By law, the naming officer loses title to their public office or employment and is subject to removal. The relative is not subject to removal.

If the City employs you, members of your immediate family are not eligible for City employment. For purposes of this section, your immediate family includes your spouse, your children, your siblings, your parents, your grandparents, and your spouse's children, siblings, parents and grandparents, or any relative with reference to the fourth degree as described above.

Should two present employees decide to marry; one person will no longer remain employed by the City. The date of termination will be on or before the date of marriage.

Should two present employees that work together or supervise each other enter into a personal, non-work related relationship, one or both employees will have to be transferred.

1.165 Security Checks

The City may exercise its right to inspect all packages and parcels entering and leaving City of Hollister premises.

1.170 We Need Your Ideas

Ask any of our employees who have worked with us for a long time and they will probably tell you of the many changes and improvements that have come about in their departments since they first joined us. We believe the person doing a job is in the best position to think of ways of doing it more easily, more efficiently, and more effectively. If you think of a better way of doing your job or the job of a fellow employee, discuss it with your Supervisor, who will welcome your suggestions and ideas.

Remember, there may be areas in the City's operation that can be improved. These could be in service, equipment maintenance, communications, safety, and ways to reduce costs, losses, and/or waste, or other improvements you may see a need for. Please give us the benefit of your unique experience and thoughts. Your contributions, as well as those of others, could improve the overall services to our citizens. Also, make sure to document your innovations and money-saving efforts and have them placed in your personnel file (include dates, detailed descriptions of your contributions, estimates from the accounting department regarding cost savings, etc.) – these may favorably affect your wage, salary or promotion reviews.

Standards of Conduct

1.175 Standards of Conduct

Whenever people gather together to achieve goals, some rules of conduct are needed to help everyone work together efficiently, effectively, and harmoniously. Some people have problems with “rules” and “authority figures,” and past experience may have justified these thoughts and feelings; however, at the City, we hold ourselves to a high standard of quality where the rules and authority figures simply assure that quality is maintained.

By accepting employment with us, you have a responsibility to the City and to your fellow employees to adhere to certain rules of behavior and conduct. The purpose of these rules is not to restrict your rights, but rather to be certain that you understand what conduct is expected and necessary. When each person is aware that he or she can fully depend upon fellow workers to follow the rules of conduct, then our organization will be a better place to work for everyone.

1.180 Workplace Violence

1. Purpose. Employer does not tolerate acts of workplace violence committed by or against employees. Employer strictly prohibits employees from making threats or engaging in violent acts. This is a zero-tolerance policy meaning that the City disciplines or terminates every employee found to have violated this policy.

2. Prohibited Conduct. Prohibited conduct (unless an authorized Law Enforcement Officer acting in the line of duty) includes, but is not limited to:

- a. Injuring another person physically.
- b. Engaging in behavior that creates a reasonable fear of injury in another person.
- c. Engaging in behavior that subjects another individual to extreme emotional distress.
- d. Possessing, brandishing, or using a firearm or other weapon while on employer premises or engaged in employer business.
- e. Damaging property intentionally.
- f. Threatening to injure an individual or damage property.
- g. Committing injurious acts motivated by, or related to, domestic violence or sexual harassment.

3. Identifying And Responding To Risks. Employer identifies and responds to workplace violence hazards as follows:

- a. Threat assessment. The City Administrator assesses employer's vulnerability to violence and determines the appropriate preventative measures. The City Administrator annually reviews the workplace to identify existing or potential violence hazards. The worksite review should include, but not be limited to, inspecting security measures, analyzing records of violent incidents and monitoring trends, and conducting screening surveys to learn about employees' security concerns. The City Administrator, with a copy to the personnel file, maintains records of all threats and incidents of violence committed against employees. Access to such records is on a need-to-know basis only.
- b. Security planning for at-risk employees. Some employees are known to be at risk for violence because of the nature of their jobs. Other employees can be at risk because they are subject to violence, threats or harassment from a current or former spouse or partner or other non-employee. The City Administrator works with at-risk employees and their supervisors to develop safety plans that address the specific risks the employees face while at work.
- c. Pre-hire screening. The City Administrator and/or his/her designee will review job candidates' backgrounds to determine if they have a history of committing violent acts or making threats. Pre-hire screening generally consists of reference checks with prior employers, but the screening can include rigorous background investigations for safety-sensitive positions and positions involving extensive, unsupervised contact with the public.

4. Guidelines For Handling Violent Situations. All employees shall be given a copy of this Section including guidelines and procedures for handling workplace violence and threats. The City Administrator is responsible for periodically reviewing the guidelines to ensure that they are adequate and up-to-date. If a violent incident occurs, the City Administrator must re-evaluate the guidelines and procedures and modify them accordingly.

5. Support For Victims Of Violence. Victims of violent incidents in the workplace might have to contend with a variety of medical, psychological and legal consequences. Employer accommodates victims of workplace violence by:

- a. Referring victims to appropriate community resources such as medical centers, counseling services, victim advocacy groups, legal aid, and domestic violence shelters.
- b. Cooperating with law enforcement personnel in the investigation of the crime and the prosecution of the offender.
- c. Providing a debriefing for employees twenty-four (24) to forty-eight (48) hours after a serious violent occurrence to explain what happened and what steps are being taken by employer to support affected employees.

6. Enforcement. The City Administrator must immediately investigate any reported violence, harassment or threats committed on employer premises. All employees who commit violent acts or who otherwise violate this policy are subject to corrective action and/or discipline, up to and including termination of employment. Employer will seek the prosecution of all of those who engage in violence on its premises or against its employees while they are engaged in employer business.

7. Workplace Violence--Employee Guidelines And Procedures. While we endeavor to provide our employees with a safe and secure workplace, employer recognizes that crime and violence sometimes can spill over into the workplace. We are providing you with these guidelines so you can be better prepared to handle violent and threatening situations. This document summarizes actions you should and should not take to deal with threatening or violent situations. Taking a few moments to familiarize yourself with these guidelines is an important part of being prepared for workplace emergencies.

General Security Practices:

- a. Never hesitate to call the Police if confronted with a potentially violent situation. It is better to have called the Police unnecessarily than not to have the Police available when a threatening situation turns violent.
- b. Never attempt to physically restrain or physically remove a threatening or violent individual by yourself. Doing so puts you in danger and leaves you and employer vulnerable to possible lawsuits.
- c. Always report violent, threatening or harassing behavior to your supervisor. Alert your supervisor to the presence of strangers in your work area or the presence of any suspicious packages.
- d. In the event of armed robbery, comply with the robber's demands, including demands for employer money or property.

8. Coping With Threatening Or Violent Individuals. Effective handling of threatening or violent individuals requires you to use good judgment and common sense and rely on your own assessment of the particular situation. Nevertheless, you might be able to resolve or cope with many types of threatening or violent situations by following the guidelines below.

- a. When confronted with an angry or hostile individual.
 - Stay calm.
 - Listen attentively.
 - Maintain eye contact.

- Be courteous and patient, but try to keep the situation under control by expressing a willingness to calmly discuss the matter with the individual.
- b. When confronted with a person shouting, swearing, threatening violence, or engaging in bizarre or dangerous behavior.
- Stay calm.
 - Be courteous and patient, but maintain your distance from the individual.
 - If possible, signal a co-worker or supervisor that you need help.
 - Have the co-worker or supervisor call the Police. Dial 911.
- c. When confronted by someone with a gun, knife, or other weapon.
- Stay calm.
 - Never try to grab the weapon.
 - If possible, quietly signal a co-worker or supervisor that you need help.
 - Have the co-worker or supervisor call the Police. Dial 911.
 - Be courteous and patient. Keep talking, but follow the instructions from the person who has the weapon. Stall for time, but do not risk harm to yourself or others.
 - Watch for a safe chance to escape to a safe area. Take direction from the Police once they arrive on the scene.

1.185 Disciplinary Actions

1. Unacceptable Activities

Generally speaking, we expect each person to act in a mature and responsible way at all times. However, to avoid any possible confusion, some of the more obvious unacceptable activities are noted below. Your avoidance of these activities will be to your benefit as well as the benefit of the City. If you have any questions concerning any work or safety rule, or any of the unacceptable activities listed, please see your Supervisor for an explanation.

Occurrences of any of the following violations, because of their seriousness, may result in immediate dismissal without warning:

- Willful violation of any City rule; any deliberate action that is extreme in nature and is obviously detrimental to City's efforts to serve its citizens.

- Willful violation of security or safety rules or failure to observe safety rules or the City safety practices; failure to wear required safety equipment; tampering with City equipment or safety equipment.
- Negligence or any careless action, which endangers the life or safety of another person.
- Being intoxicated or under the influence of controlled substance drugs while at work; use or possession or sale of controlled substance drugs in any quantity while on City premises except medications prescribed by a physician which does not impair work performance.
- Unauthorized possession of dangerous or illegal firearms, weapons or explosives on City property or while on duty.
- Engaging in criminal conduct or acts of violence, or making threats of violence toward anyone on City premises or when representing the City; fighting, or horseplay or provoking a fight on City property, or negligent damage of property.
- Insubordination or refusing to obey instructions properly issued by your Supervisor pertaining to your work; refusal to help out on a special assignment.
- Threatening, intimidating or coercing fellow employees on or off the premises -- at any time, for any purpose.
- Engaging in an act of sabotage; willfully or with gross negligence causing the destruction or damage of City property, or the property of fellow employees, customers, suppliers, citizens, or visitors in any manner.
- Theft of City property or the property of fellow employees; unauthorized possession or removal of any City property, including documents, from the premises without prior permission from management; unauthorized use of City equipment or property for personal reasons; using City equipment for profit.
- Dishonesty; willful falsification or misrepresentation on your application for employment or other work records; lying about sick or personal leave; falsifying reason for a leave of absence or other data requested by City; alteration of City records or other City documents.
- Violating the non-disclosure agreement; giving confidential or proprietary City information to competitors or other organizations or to unauthorized City employees; exception secondary employment without prior approval while a City employee; breach of confidentiality of personnel information.
- Malicious gossip and/or spreading rumors; engaging in behavior designed to create discord and lack of harmony; interfering with another employee on the job; willfully restricting work output or encouraging others to do the same.
- Immoral conduct or indecency on City property.
- Conducting an illegal lottery or illegally gambling on City premises.

Occurrences of any of the following activities, as well as violations of any City rules or policies, may be subject to disciplinary action, including possible immediate dismissal. This list is not all-inclusive and, notwithstanding this list, all employees remain employed “at will.”

- Unsatisfactory or careless work; failure to meet production or quality standards as explained to you by your Supervisor; mistakes due to carelessness or failure to get necessary instructions.

- Any act of harassment, sexual, racial or other; telling sexist or racial-type jokes; making racial or ethnic slurs.
- Leaving work before the end of a workday or not being ready to work at the start of a workday without approval of your Supervisor; stopping work before time specified for such purposes.
- Sleeping on the job; loitering or loafing during working hours.
- Excessive use of City telephone for personal calls.
- Leaving your workstation during your work hours without the permission of your Supervisor, except to use the rest room.
- Smoking in restricted areas or at non-designated times, as specified by department rules.
- Creating or contributing to unsanitary conditions.
- Posting, removing or altering notices on any bulletin board on City property without permission of an officer of the City.
- Failure to report an absence or late arrival; excessive absence or lateness.
- Obscene or abusive language toward any Supervisor, employee or customer; indifference or rudeness towards a customer or fellow employee; any disorderly/antagonistic conduct on City premises.
- Speeding or careless driving of any City equipment or any other City vehicles.
- Failure to immediately report damage to, or an accident involving City equipment.
- Soliciting during working hours and/or in working areas; selling merchandise or collecting funds of any kind for charities or others without authorization during business hours, or at a time or place that interferes with the work of another employee on City premises.
- Failure to maintain a neat and clean appearance in terms of the standards established by your Supervisor; any departure from accepted conventional modes of dress or personal grooming; wearing improper or unsafe clothing.
- Failure to use your timecard; alteration of your own timecard or records or attendance documents; punching or altering another employee's timecard or records, or causing someone to alter your timecard or records.

2. Disciplinary Actions

Unacceptable behavior, which does not lead to immediate dismissal, may be dealt with in the following manner:

- Verbal Warning
- Written Warning
- Decision Making Suspension
- Dismissal

Written warnings will include the reasons for the Supervisor's dissatisfaction and any supporting evidence. You will have an opportunity to defend your actions and rebut the opinion of your Supervisor at the time the warning is issued. Disciplinary actions may also include suspensions or other measures deemed appropriate to the circumstances.

All pertinent facts will be carefully reviewed, and the employee will be given a full opportunity to explain his or her conduct before any decision is reached.

The Discipline Policy applies to all regular employees who have completed the Probationary period.

This policy pertains to matters of conduct as well as the employee's competence. However, an employee who does not display satisfactory performance and accomplishment on the job may be dismissed, in certain cases, without resorting to the steps set forth in this policy.

Under normal circumstances, Supervisors are expected to follow the three-step procedure outlined below. There may be particular situations, however, in which the seriousness of the offense justifies the omission of one or more of the steps in the procedure. Likewise, there may be times when the City may decide to repeat a disciplinary step.

To insure that City business is conducted properly and efficiently, you must conform to certain standards of attendance, conduct, work performance and other work rules and regulations.

When a problem in these areas does arise, your Supervisor will coach and counsel you in mutually developing an effective solution. If, however, you fail to respond to coaching or counseling, or an incident occurs requiring formal discipline, the following procedures occur.

3. Step One: Verbal Reminder

Your Supervisor will meet with you to discuss the problem, making sure that you understand the nature of the violation and the expected remedy. The purpose of this conversation is to remind you of exactly what the rule or performance expectation is and also reminds you that it is your responsibility to meet that expectation.

You will be informed that the Verbal Reminder is the first step of the discipline procedure. Your Supervisor will fully document the Verbal Reminder, which will remain in effect for 6 months. Documentation of the incident will remain in your permanent record.

4. Step Two: Written Reminder

If your performance does not improve, or if you are again in violation of City practices, rules or standards of conduct, your Supervisor, after reviewing the situation with the City Administrator, will discuss the problem with you, emphasizing the seriousness of the problem and the need for you to immediately remedy the problem.

Following the conversation, your Supervisor will write a memo to you summarizing the discussion. The original memo will go to you and a copy will be placed in your file.

The Written Reminder will remain in your permanent file.

5. Step Three: Decision Making Suspension

Prior to placing an employee on Decision Making Suspension, the Supervisor should consult with the City Administrator.

If your performance does not improve following a Written Reminder, or if you are again in violation of City practices, rules or standards of conduct, you may be placed on Decision Making Suspension. The Decision Making Suspension is the final step of the City's disciplinary system.

Decision Making Suspension is an unpaid, one-day disciplinary suspension. Employees on Decision Making Suspension will spend the following day away from work deciding whether to correct the immediate problem and conform to all of the City's practices, rules and standards of conduct, or to quit and terminate their employment with the City.

If your decision following the Decision Making Suspension is to return to work and abide by City practices, rules and standards of conduct, your Supervisor will write a letter to you explaining your commitment and the consequences of failing to meet this commitment. You will be required to sign the letter to acknowledge receipt. A copy of the letter will be routed to the City Clerk and the City Administrator for appropriate distribution. A copy will be placed in your personnel file.

You will be allowed to return to work with the understanding that if a positive change in behavior does not occur, or if another disciplinary problem occurs within the next 6 months, your employment will be terminated.

If you are unwilling to make such a commitment, your employment may be terminated.

6. Sequence of Steps

In most cases, if an informal coaching (i.e., non-disciplinary) discussion does not solve a problem, the Supervisor moves to the Verbal Reminder step and continues through the steps until either the problem is solved or the individual is terminated.

However, if a significant period of time has passed following a Verbal or Written Reminder, or if the employee commits an entirely unrelated offense during the active period of a Verbal or Written Reminder, it may be appropriate to give the person a second Verbal or Written Reminder rather than automatically moving to the next more serious step. The criterion is the Supervisor's judgment about what action will be most likely to bring about a permanent performance correction.

Likewise, there are times when it is appropriate to start the disciplinary procedure at the Written Reminder or the Decision Making Suspension level, without previous disciplinary action having been taken. This would be the case when an employee commits an offense, which is very serious but does not quite justify termination.

7. Crisis Suspension

Whatever the City's formal discipline policy may be, it is important for Supervisors to recognize that there is never a situation, which justifies an employee being terminated on the spot. Whatever the offense, the appropriate action is to suspend the individual pending investigation. Once the employee is off the premises, the Supervisor and other members of management can investigate the situation calmly away from "the heat of the moment." Any time a crisis situation arises; the Supervisor should advise the individual that he is being "suspended pending investigation" and that he is to leave the City premises immediately. In cases where it appears the individual may be intoxicated or under the influence of some other drug, transportation should be provided or arranged.

If you commit any of the actions listed below, or any other action not specified but similarly serious, you will be suspended without pay pending the investigation of the situation. Following the investigation you may be terminated without any previous disciplinary action having been taken.

1. Theft
2. Falsification of City records
3. Failure to follow safety practices
4. Conflict of interest
5. Threat of, or the act of doing bodily harm
6. Willful or negligent destruction of property
7. Use and/or possession of intoxicants, drugs or narcotics
8. Neglect of duty
9. Refusal to perform assigned work or to follow a direct order
10. Harassment

8. Discipline Deactivation

If an employee changes his/her behavior following a disciplinary discussion, fully corrects a problem, and maintains that improvement for a significant period of time, the employee can have his "slate wiped clean." Most organizations provide that the more serious the disciplinary step, the longer the period of time before it becomes deactivated.

The shortest and longest time periods used by various companies for disciplinary deactivation based on acceptable performance following a specific step are provided for below:

| STEP | Shortest | Longest |
|----------------------------|----------|-----------|
| Verbal Reminder | 3 months | 12 months |
| Written Reminder | 6 months | 18 months |
| Decision Making Suspension | 9 months | 24 months |

Step 1 of the procedure (Verbal Reminder) will be in effect for 6 months.

Step 2 (Written Reminder) will be in effect for 12 months.

Step 3 (Decision Making Suspension) will be in effect for 18 months.

If no further performance problems occur during the active period, the discipline procedure will be deactivated at the end of the appropriate time period. The Supervisor will initiate deactivation. Supervisors/Employees will request deactivation. Supervisor shall notify human resources to remove the discipline warning.

9. Discharge of an employee while on probation

If at any time during the probation period the supervisor determines the service of the employee to be unsatisfactory, with approval of the City Administrator, the employee may be separated from the service of the City without the right of appeal or hearing. If an employee has been promoted, they may be returned to the previous position held, or a similar position, with all rights of appeal or hearing.

1.190 Dismissal

Employment and compensation with the City is "at will" in that they can be terminated with or without cause, and with or without notice, at any time, at the option of either the City or yourself, except as otherwise provided by law.

If your performance is unsatisfactory due to lack of ability, failure to abide by the City rules or failure to fulfill the requirements of your job, you will be notified of the problem. If satisfactory change does not occur, you may be dismissed. Some incidents may result in immediate dismissal.

1. Dismissal - Voluntary Termination

- Notification

When an employee notifies their Supervisor of plans to leave city employment, a written notification, containing last date of duty, employee signature and date of notice is required. An employee's last day of employment is their last day of duty, as established by their termination notice.

- Personnel Out Processing

The employee is required to personally meet with the City Clerk to complete an employee termination checklist and to insure all final personnel processing is completed, this includes the return of all uniforms and equipment.

- **Final Payroll**

Any employee, voluntarily terminating their employment will receive their final payroll check on the next regularly scheduled payday. This payroll will include all hours worked, from the last payroll until termination, any reimbursement due the City, at the time of final payroll will be deducted prior to issuance of a payroll check. All accrued, unused vacation will be paid in a lump sum on a separate check, at this time. Final payroll check may be personally picked up at City Hall or may be mailed to an employee's home address.

2. Dismissal - Involuntary Termination

- **Notification**

When an employee is dismissed the Supervisor shall provide the City Clerk a written notification, containing last day of duty. An employee's last day of employment is their last day of duty, as established by their termination notice.

- **Personnel Out Processing**

The employee is required to personally meet with the City Clerk to complete an employee termination checklist and to insure all final personnel processing is completed, this includes the return of all uniforms and equipment.

- **Final Payroll**

Any employee, in-voluntarily terminating their employment will receive their final payroll check once all equipment has been turned in. This payroll will include all hours worked, from the last payroll until termination, any reimbursement due the city, at the time of final payroll will be deducted prior to issuance of a payroll check. All accrued, unused vacation will be paid in a lump sum on a separate check, at this time. Final payroll check may be personally picked up at City Hall or may be mailed to an employee's home address.

2.

Compensation & Performance

Wage & Salary Policies

2.010 Wage & Salary Policies

It is the City's desire to pay wages and salaries that are competitive with other employers in the marketplace in a way that will be motivational, fair and equitable, variable with individual and the City performance and in compliance with all applicable statutory requirements.

You are employed by the City of Hollister and will be carried directly on our payroll. No person may be paid directly out of petty cash or any other such fund for work performed. The only exception to this policy is where a contract relationship exists with a bona fide contractor.

1. Application

City applies the same principles of fairness and external comparability to all employees, regardless of organizational level, sex, religion, national origin, age or race.

2. Basis for Determining Pay

Your pay is influenced by these factors:

1. The nature and scope of the job
2. What other employers pay their employees for comparable jobs
3. Individual performance
4. Job classification
5. Salaried status

3. Job Scope

Through a process called job evaluation, the scope, responsibility, impact and required skills and abilities of each job at the City are compared. The result is a relative ranking of all jobs, from high to low. Job evaluation is independent of any employee or his performance.

4. External Comparability

Once jobs are ranked, jobs are compared with external market data. Each job is assigned a range of pay, including a minimum and a maximum. Periodically the City will examine the market conditions to ensure ongoing comparability. Changes in pay ranges will be made as needed and as the City can afford, to maintain market comparability.

5. Salary Schedule – Hourly Employees

The City has adopted a 20-year wage scale that represents years of service, starting wage and HS (Hollister Salary) columns.

Definition of columns

Vertical (down) columns = HS (Hollister Salary) columns ranging from HS1 to HS25.

Horizontal (across) columns = starting wage and years of service from 0 to 20 years.

Salary Schedules will be on file in the City Clerk’s office and be in full force and in effect as if fully set out herein.

The City Administrator will make any changes to the wage scale.

6. Salary Schedule – Salaried Exempt

There is not a wage scale for salaried (overtime exempt) employees. Salaried (overtime exempt) employees job description list a salary range available for that position.

In January of each year the City Administrator will determine if the budget will allow a salary increase for salaried (overtime exempt) employees. This wage increase shall not exceed 5% of an employee’s salary.

7. Individual Pay

An individual's pay, within the described ranges, will depend on his sustained performance over time. Each year every employee will have a performance review with his Supervisor. During that review, significant performance events that occurred throughout the year will be reviewed.

The overall performance rating will influence the wage/salary adjustment. Through individual performance and by increasing job responsibilities and moving to higher-level jobs, you can have significant impact on your pay.

8. Salary Schedule – Police Dispatcher’s Step Increases

Dispatcher’s first year wage scale is

| | |
|-----------|--|
| HS 06 - 0 | New dispatcher hired |
| HS 07– 0 | 6 month probation period and CTO (Communications Training Officer) completed |
| HS 07 – 1 | Salary Range after 1 year |

9. Salary Schedule – Police Officer’s Step Increases

Police Officer’s first year wage scale is

| | |
|-----------|---|
| HS 11 – 0 | New officer hired |
| HS 12 – 0 | 6 month probation period and FTO (Field Training Officer) completed |
| HS 13 – 1 | Salary Range after 1 year |

2.015 Call Back Pay

Occasionally, you may be asked to return to work after you have left the premises for the day. If this occurs, you will be paid for the time you actually worked (minimum 1 hour) at a rate equal to your normal rate of pay. Any hours worked in excess of the 40 hour work week will be paid at time and one half rate of pay.

2.020 Compensation

Regularly scheduled work hours: Hours that an employee is scheduled to work, on a recurring basis over the preceding 30-day period. These hours are usually reflected as the number of hours worked on a “normal work day”.

2.025 Compensation for On Call Duty Pager/Cell Phone

1. The after hours on call public works department and wastewater treatment department non-supervisory employee required to carry a pager/cell phone will be entitled to one (1) hour of straight time pay for every day they carry the pager/cell phone, while on call. You must be available to take calls and report to work as needed.
2. Pager/Cell phone time will not be paid to an employee while they are on sick leave. If an employee is scheduled to be on call on a day that they are unable to perform regular duty do to illness or other sick leave status their pager or cell phone will be reassigned to another employee that is in a full duty status.

2.030 Deductions From Paycheck (Mandatory)

The City is required by law to make certain deductions from your paycheck each time one is prepared. Among these are your federal, state and local income taxes and your contribution to Social Security as required by law. Also, the City’s retirement plan (Lagers) is mandatory. These deductions will be itemized on your check stub. The amount of the deductions may depend on your earnings and on the information you furnish on your W-4 form regarding the number of dependents/exemptions you claim. Any change in name, marital status or number of exemptions must be reported to the payroll department immediately, to ensure proper credit for tax purposes. The W-2 form you receive for each year indicates precisely how much of your earnings were deducted for these purposes.

Any other mandatory deductions to be made from your paycheck, such as court-ordered attachments, will be explained whenever the City is ordered to make such deductions.

Note: See "Wage Assignments (Garnishments)" later on in this section for further information.

2.035 Deductions (Other)

It may be possible for you to authorize the City to make additional deductions from your paycheck. Contact City Clerk for details and the necessary authorization forms.

2.040 Error In Pay

Every effort is made to avoid errors in your paycheck. If you believe an error has been made, tell your Supervisor immediately. They will take the necessary steps to research the problem and to assure that any necessary correction is made properly and promptly by the next pay period.

2.045 Overtime Pay

From time to time, it may be necessary for you to perform overtime work in order to complete a job on time. Your Supervisor must approve all overtime in advance. When it is necessary to work overtime, you are expected to cooperate as a condition of your employment. There are two types of overtime work:

1. **Scheduled Overtime:** Scheduled overtime work is announced in advance and generally will involve an entire department or operation. This type of overtime becomes part of the required workweek of the people who are members of the department or operation. If you need to be excused from performing scheduled overtime, please speak with your Supervisor. They will consider your situation and the requirements of the department or operation in deciding whether you may be excused from performing the scheduled overtime.
2. **Incidental Overtime:** Incidental overtime is not scheduled; it becomes necessary in response to extenuating circumstances. It is extra time needed to complete work normally completed during regular hours. Incidental overtime may become necessary when an illness or emergency keeps co-workers from being at work as anticipated. It may require you to return to the workplace for emergency work. The opportunity to perform incidental overtime will be given first to the employee who normally performs the task. If that employee cannot perform the overtime, the Supervisor will offer the overtime to a suitably qualified person who is available to perform the overtime work.

All non-exempt employees shall be entitled to overtime pay for hours worked over forty (40) hours per week. All non-exempt police officers shall be entitled to overtime pay for hours worked over forty-three (43) hours per week (FLSA 29 CFR 553.230). A "workweek" is defined as a seven (7) day period beginning on Sunday and ending on Saturday. "Work" shall be defined as in the service of the City. All employees must have worked as defined in a seven (7) day

period before they will be paid overtime. Overtime rate shall be one and one-half (1½) times their normal hourly rate.

Employees exempt from overtime compensation by FLSA exempting an executive, administrative or professional employee are employees that are designated by the City Administrator.

2.050 Pay Period & Hours

Our payroll workweek begins on Sunday at 12:01 a.m. and ends on Saturday at 12:00 midnight.

2.055 Pay Cycle

The City shall have a pay period of bi-weekly, with payroll distributed on the Friday following the end of the pay period. All hourly employees shall punch a time clock. Employees exempt from overtime shall submit a report of hours absent and the reason from work to the City Administrator. Upon ceasing employment with the City, the last payroll check for hours worked, any vacation leave earned and not taken shall be paid to the employee within a reasonable length of time, or on the normal pay period that would have occurred next. At the time of employment and during the time of employment, an equipment check out list shall be maintained in the employee's personal file. It shall be the responsibility of the Supervisor to furnish this information for the employee files (see example form on file at the City Clerk's office). Final checks will not be released until all property has been returned to the City.

2.060 Paycheck Distribution & Cashing Procedures

Paychecks are:

- direct deposited into your checking/savings account (except for final check)
- deposit notices are distributed by your Supervisor

- Paychecks may:
- not be cashed at the City
- not be picked up by anyone other than the employee or a designee

2.065 Reporting Time Pay -- Inclement Weather & "Acts of God"

In the event you report for work without being notified in advance that we are temporarily closed due to special circumstances, you will receive a minimum of one (1) hour of straight time pay. Special circumstances include inclement weather, fire, flood or some other "Act of God", power/utility failure, an inoperable computer system, or lack of work. You may be asked to perform other available work for the one (1) hour period. If you refuse, you will forfeit your claim to reporting pay. This policy applies to our "non-exempt" employees only.

Please tune to your radio station KRZK (106.3) for updates on current conditions and contact your Supervisor.

Unfortunately, you will not be paid when work is not available due to circumstances not within the City's control; the following are examples of such circumstances.

- Operations cannot commence or continue due to threats to employees or property or when recommended by civil authorities.
- Public utilities fail to supply electricity, water, or gas, or there is a failure in the public utilities, or sewer system.
- The interruption of work is caused by an "Act of God" (inclement weather, fire, flood, earthquake, avalanche, etc.) or some other cause not within the City's control.

2.070 Termination & Severance Pay

- Accrued vacation will be paid to employees being terminated.
- Accrued sick leave will not be paid.
- The City of Hollister does not pay severance pay.

Any accrued but unused vacation time will be paid at the time of employment termination, as specified under "Vacations" in the "Benefits" section of this Employee Manual.

When you leave the City, you will be paid for actual time worked, plus any accrued but unused vacation time, as specified under "Vacations" in the "Benefits" section of this Manual.

2.075 Time Cards/Records

Rules prohibit employees from recording another's time, causing another employee to record time for him or her, or failing to record his or her time. Rules forbid signing in too soon or out too late without authorization. "Falsifying" time cards is considered theft of time and could be considered cause for dismissal.

You must keep some sort of record of hours worked by "non-exempt" employees. Early sign-ins or late sign-outs will make you liable for overtime pay in case of a conflict or dispute.

By law, we are obligated to keep accurate records of the time worked by "non-exempt" employees, time clock cards do this.

Your time card is the only way the payroll department knows how many hours you worked and how much to pay you. Your time card indicates when you arrived and when you departed. You are to punch in and out for lunch and for brief absences like a doctor or dentist's appointment. All employees are required to keep your Supervisor advised of their departures from and returns to the premises during the workday.

You are responsible for your time card. Remember to record your time. If you forget to punch in or make an error on your card, your Supervisor must make the correction and you and your Supervisor must initial the correction. You are not permitted to punch in more than five (5) minutes before your scheduled starting time nor more than five (5) minutes after your scheduled quitting time without your Supervisor's approval.

No one may record hours worked on another's card. Tampering with another's time card is cause for disciplinary action, including possible dismissal, of both employees. Do not alter another person's record, or influence anyone else to alter your record for you. In the event of an error in recording your time, please report the matter to your Supervisor immediately.

Time cards must be turned in to your supervisor along with any appropriate Absence Report and Leave Request form in order to receive payment of wages. Time cards and Absence Report and Leave Request forms not received by the payroll department will result in either a shortage of pay, or no pay. Employees must wait until the next pay period to be compensated.

2.080 Time Clock Use

All hourly employees are required to use a time clock. Employees shall clock in and out for their shift and during lunch hours (if they are by the time clock). The time clock is set up on continental time.

1. Time Clock - Difference between clock records and actual hours worked

Employees, who voluntarily come in before their regular starting time or remain after their closing time, will not be paid for such periods, provided that they do not engage in any work. Their early or late clock punching may be disregarded. Minor difference between the clock records and actual hours worked cannot ordinarily be avoided, but major discrepancies shall be discouraged since they raise a doubt as to the accuracy of the records of the hours actually worked.

2. Time Clock - "Rounding" practices

Every time an employee clocks in and out, in a series, the total end time for each series shall be rounded (up or down) to the nearest quarter hour (15 minutes or .25 continental time).

This arrangement of rounded time (up & down) averages out so that employees are fully compensated for all the time they actually work.

3. Time Clock - Example rounding down

| | | |
|------------|--|--|
| DATE | 07:90 clock in | Shift series (meeting same day) |
| | 13:14 clock out for lunch | 18:75 |
| | 14:12 clock in from lunch | <u>20:26</u> |
| | <u>17:00</u> clock out | 1.51 (time is rounded down to 1.5 hours) |
| Total time | 8.12 (time is rounded down to 8 hours) | |

4. Time Clock - Example rounding up

DATE 08:06 clock in
 13:14 clock out for lunch
 14:20 clock in from lunch
 17:00 clock out
 7.88 (time is rounded up to 8 hours)

A series of time is any time someone clocks in and out during any given day and/or if they have to return later on the same day.

Any time over 15 minutes must be approved overtime.

2.085 Wage Assignments (Garnishments)

We hope you will manage your financial affairs so that we will not be obligated to execute any court-ordered wage assignment or garnishment against your wages. However, whenever court-ordered deductions are to be taken from your paycheck, you will be notified.

Performance & Compensation Reviews

2.095 Pay Rate – Exempt Employees

The compensation rate for all exempt positions is stated as a salary range, listed on each exempt employee's position descriptions. The specific base compensation rate for an individual, exempt employee will be determined by individual's experience, knowledge, skills and abilities that relate directly to their selection. This determination will be made and documented as a part of the job selection process.

2.100 Pay Rate – Hourly Employees

As per the salary schedule for each job description, each employee shall be evaluated and recommendation made for any pay increase within the salary schedule of that job description. This will be based on length of employment, performance of duties, and all other pertinent questions as to performance on the job. Evaluations shall be presented to the City Administrator who shall then allocate, approve or disapprove the salary of the employee.

If an employee is recommended for an increase the Supervisor shall use the City's wage scale. An employee would go horizontally across the chart for years of service and if exceptional circumstances warrant the supervisor may recommend going vertically down the chart, if within the job description range.

2.105 Reviews - Performance

Your Supervisor is continuously evaluating your job performance. Day-to-day interaction between you and your Supervisor should give you a sense of how your Supervisor perceives your performance.

However, to avoid haphazard or incomplete evaluations, Supervisor's conduct a formal review, once a year for each employee.

1. Employee performance evaluations shall be completed, on an annual basis, by the employee's immediate Supervisor. As a general rule, this evaluation period will start on the anniversary date that an employee is hired by the City and will include a one-year period that ends on the anniversary of the day preceding that date.
2. If an employee is reassigned, transferred or promoted to a new position, their evaluation period will change to reflect their performance period in their new position. The new evaluation period will start on the anniversary date that the employee is reassigned, transferred or promoted to their new position and will include a one-year period that ends on the anniversary of the day preceding that date.

3. If an employee is reassigned, transferred or promoted to a new position, a “close-out” evaluation will be completed by the employee’s immediate Supervisor, of their old position. This evaluation period will reflect their performance during the period from their last evaluation until their last day in that position. If the change in positions occurs within 60 days of the employee’s latest evaluation, no “close-out” evaluation will be required.

4. If, for any reason, an employee terminates their employment, with the City, a “close-out” evaluation will be completed by the employee’s immediate Supervisor. This evaluation period will reflect their performance during the period from their last evaluation until their last day in that position.

5. Employee performance evaluations shall be accomplished, upon completion of the employee’s 180-day probationary period, by the employee’s immediate Supervisor. This evaluation will be required during an employee’s initial 180-day employment period and will also be required during the initial 180-day period following a reassignment, transfer or promotion to a new position. This probationary evaluation will be considered interim evaluation and will also be included as a part of their annual evaluation period.

During formal performance reviews, your Supervisor will consider the following things, among others:

- Attendance, (Ex: excessive use of sick leave without proper documentation) initiative and effort
- Knowledge of your work
- Attitude and willingness to assist other co-workers
- The quality and quantity of your work
- The conditions under which you work
- Incentive (commitment to performing work within your department so that it remains running smoothly. Balancing work loads without co-workers being overworked.)

The primary reason for performance reviews is to identify your strengths and weaknesses in order to reinforce your good habits and develop ways to improve. This review also serves to make you aware of and to document how your job performance compares to the goals and description of your job. This is a good time to discuss your interests and future goals. Your Supervisor is interested in helping you to progress and grow in order to achieve personal as well as work-related goals—perhaps they can recommend further training or additional opportunities for you.

In addition to individual job performance reviews, the City periodically conducts a review of job descriptions to insure that we are fully aware of any changes in the duties and responsibilities of each position and those changes are recognized and adequately compensated.

2.110 Reviews - Compensation

Wage and salary increases are based on several circumstances. Merit, length-of-service and on occasion, cost-of-living. Having your compensation reviewed does not necessarily mean that you will be given an increase.

Compensation reviews are conducted annually on each employee's anniversary/evaluation date following their annual performance review. Wage and salary increases may be retroactive in the case of late reviews, at the discretion of the City Administrator.

2.115 Reviews – Promotion

It is our policy to advise all employees about advancement opportunities by means of bulletin boards or other suitable methods. Please submit your request for consideration for a specific position directly to your Supervisor.

Whenever a position becomes available, every effort will be made to fill it by promoting a qualified employee. Jobs will be awarded based on individual ability and past job performance, as well as length of service if two people have similar qualifications. By utilizing all opportunities for education and performing your job excellently, you may become qualified to fill a position of greater skill, responsibility and value at the City. The City will always continue to look outside the City for potential employees.

Whenever you are learning a new job, or if your abilities are unknown in a particular job, you will be classified as a trainee during the time necessary for you to gain experience to do the job. The length of training time for any given job is governed by the experience required for that job and your learning ability. You will be reviewed at the end of 180 days while training.

2.120 Reviews – Transfers

Transfer from one position to another may be required or requested from time to time. Such transfers (up, down, or laterally) will be made with a possible adjustment in pay. Transfers for more than thirty (30) days will be considered permanent transfers.

In the unlikely event that you are permanently transferred for the City's benefit to a lower position, your wage may need to be adjusted to suit the new position. If you are permanently transferred to a lower position because there is no work in your department, your wage must be reduced to suit the job to which you are transferred.

2.125 Reviews – Specialized Training

Employees who achieve professional certifications specific to the performance of their job may be advanced on the HS pay scale.

2.130 Reviews – Technical Job Training

The City will pay (depending on the availability of funds) 100% of technical training to achieve or maintain required or desirable, licensing and/or certifications. Specific examples include; MDNR water/sewer certification, Post law enforcement certification (continuing education only), IIMC and MPCC Municipal Clerk, and MACA court clerk certifications.

2.135 Reviews – Extraordinary Performance

Employees who have demonstrated extraordinary service specific to the performance of their job may be advanced on the HS pay scale.

2.140 Lump Sum Merit- All Employees

This is a one-time payment made to an employee to reflect an employee's exceptional contribution to the City over the past year for a task or suggestion that:

- has long-term cost savings to the City,
- completion of a special project,
- improvement of skills,
- certification or license obtained,
- attendance at seminars,
- self-motivation,
- working as a team player,
- helping others reach their goals

This type of payment may also be used to provide a payment to an employee who has reached the upper limit of the salary range for the employee's position.

In addition to a base rate merit an employee may qualify for a lump sum merit. There shall be no more than one lump sum merit payment to an employee in any one (1) calendar year. Lump sum merit payment shall not exceed 3% of the employee's base annual wage/salary and shall not affect the wage scale system.

Work Schedule

2.145 Work Schedule

The normal workweek consists of five (5) days, eight (8) hours long, Monday through Friday; except for the police officers normal workweek consists of four (4) days, ten (10) hours long. Your Supervisor will give your schedule of daily work hours to you. You will be notified promptly whenever a change is necessary. Should you have any questions concerning your work schedule, please ask your Supervisor.

2.150 Absence or Lateness

From time to time, it may be necessary for you to be absent from work. The City is aware that emergencies, illnesses, or pressing personal business that cannot be scheduled outside your work hours may arise. Sick days and personal days have been provided for this purpose.

If you are unable to report to work, or if you will arrive late, please contact your Supervisor immediately. Give him or her as much time as possible to arrange for someone else to cover your position until you arrive. If you know in advance that you will need to be absent, you are required to request this time off directly from your Supervisor. He or she will determine when will be the most suitable time for you to be absent from your work.

When you call in to inform the City of an unexpected absence or late arrival, ask for your Supervisor directly. For late arrivals, please indicate when you expect to arrive for work. Notifying the switchboard operator or a fellow-employee is not sufficient. If you are unable to call in yourself because of an illness, emergency or for some other reason, be sure to have someone call on your behalf. If your Supervisor is not available when you call, you may leave the information with another Supervisor.

All absences **must** be reported to your immediate Supervisor with an absence report and leave request form. Without this form, **pay will not be compensated.**

Absence from work for three (3) consecutive days without notifying your Supervisor will be considered a voluntary resignation.

2.155 Attendance

You are expected to be at your work station and ready to work at the beginning of your assigned daily work hours, and you are expected to remain at your work station until the end of your assigned work hours, except for approved breaks and lunch. When your work takes you away from your workstation, please let your Supervisor know where you are going and how long you expect to be gone.

Be aware that excessive time off could lead to disciplinary action. (**Note:** See “Excessive Absenteeism or Lateness” later on in this section for further information.)

2.160 Breaks/Rest Periods

Each employee scheduled to work four (4) hours or more shall be given one (1) fifteen (15) minute break in each four (4) hour period of work with pay. You are entitled to two (2) fifteen (15) minute rest breaks each full day worked. Normally these rest breaks will be scheduled in mid-morning and mid-afternoon. Your Supervisor will determine these. If you work in a department where breaks are not directly assigned, please coordinate with your co-workers to maintain adequate coverage at all times. Always be sure to return to work on time at the end of any break.

In the unlikely event of an emergency or unusual condition, your Supervisor may ask you to change or postpone your break in order to finish a particular project.

2.165 Closure After Starting Time

If severe weather conditions exist and the City Administrator decides to close City Hall for the remainder of the day, you will be notified as soon as possible by your Supervisor. If you are sent home before having worked one (1) hour, you will be paid for one (1) hour of work. If you are sent home after having worked one (1) hour, you will be paid for the time that you actually worked.

2.170 Closure Prior to Starting Time

If you report to work and find that, due to severe weather conditions, City Hall will unexpectedly be closed for business, you will be paid for one (1) hour of work for that day only.

2.175 Excessive Absenteeism or Lateness

In general, five (5) absences in a 90-day period, or a consistent pattern of absence, will be considered excessive, and the reasons for the absences may come under question. Tardiness or leaving early is as detrimental to the City as an absence. Three (3) such incidents in a 90-day period will be considered a "tardiness pattern" and will carry the same weight as an absence. Other factors, like the degree of lateness, may be considered.

Be aware that excessive absenteeism, lateness or leaving early may lead to disciplinary action, including possible dismissal.

2.180 Lunch Period

If you work longer than four (4) hours, you will be given an unpaid lunch period. The time when lunch periods are scheduled varies among departments, depending on the needs of each department. Your Supervisor will give you your lunch period schedule.

Public Works, WWTP, and Park employees scheduled to work eight (8) hours or more per day shall be entitled to and take a half (½) hour lunch period without pay. Administration, Executive and Building Department employees scheduled to work eight (8) hours or more per day shall be entitled to and take a one (1) hour lunch period without pay. Police employees scheduled to work eight (8) hours or more per day will remain available for duty while taking meal and shall be entitled to and take one (1) hour meal period with pay.

Employees shall not work during lunch and break periods, except Police employees who shall remain in service during these periods.

You are expected to take your allotted time for lunch. You are requested not to perform any work during your regularly scheduled lunch period, unless specifically requested to do so by your Supervisor. In that event, your lunch will be rescheduled or you will be paid for the time that you worked.

You may leave the premises during your lunch period; however, you must punch in and out. It is important to return to work on time at the end of your lunch period.

2.185 Lunch Room Facility

For your convenience and comfort, the City provides a lunchroom with ample seating, microwave ovens and a refrigerator for employees who want to bring their lunch from home. This area is for everyone's use. It is your responsibility to do your share in keeping this facility clean and sanitary. Please clean up after yourself.

If for any reason the machines are not functioning properly, please report the condition to your Supervisor. Please remember to use containers with reliable seals and label your food with your name and date. Food stored in the refrigerator for a period of more than 3 days will be disposed of. The refrigerator is to be cleaned out every Friday.

2.190 Record of Absence or Lateness

If you are absent because of illness, your Supervisor may request that you submit written documentation from your doctor. If you are absent three (3) or more days because of illness, you will be required to provide written documentation from a doctor that you are able to resume normal work duties before you will be allowed to return to work. You will be responsible for any charges made by your doctor for this documentation.

Your Supervisor will make a note of any absence or lateness, and the reason, in your personnel file. Your attendance record will be considered when evaluating requests for promotions, transfers, leaves of absence, and approved time off, as well as scheduling layoffs, etc.

3.

Benefits

The Benefits Package

3.010 The Benefits Package

In addition to receiving an equitable salary and having an equal opportunity for professional development and advancement, you may be eligible to enjoy other benefits, which will enhance your job satisfaction. We are certain that you will agree that the benefits program described in this Employee Manual represents a very large investment by the City, and we trust that you will avoid abusing any of the program benefits.

A good benefit program is a solid investment in the City and its employees. It not only insures the loyalty of long-time capable employees, it also helps to attract talented newcomers who can help the City grow. The City will periodically review the benefits program and will make modifications as appropriate to the City's condition.

3.015 Eligibility for Benefits

If you are a full-time employee, you will enjoy all of the benefits described in this Employee Manual as soon as you meet the eligibility requirements for each particular benefit.

If you are a part-time employee, your benefits will be prorated; except health & dental insurance is not available

Limited benefits are available to you during your Probationary Period, except as otherwise provided by law.

Note: See "Probationary Period" in the "Employment" section of this Manual for further information.

Seasonal or temporary employees are not eligible for benefits.

3.020 Paid Leaves of Absence

Time off for any reason during a working day will count first against your allotted vacation days or personal days, as appropriate. Once you have used all of your earned vacation or personal days. Thereafter, unless specified, any time off will be without pay.

Holidays

3.025 Holidays

All eligible employees of the City shall receive normal compensation for holidays as listed below and any other days or part of a day during which the public offices of the City shall be closed by special proclamation of the Mayor with approval of the Board. Probationary employees shall be considered for purposes of this section to be regular employees. Employees shall be eligible for holidays off with compensation based on their regularly scheduled workday.

3.030 Recognized Holidays

The City recognizes the following holidays as paid holidays:

- New Year's Eve
- New Year's Day
- President's Day
- Memorial Day
- Independence Day (July 4th)
- Labor Day
- Columbus Day
- Thanksgiving Day
- Friday following Thanksgiving Day
- Christmas Eve
- Christmas Day

3.035 Holiday Policies

1. Religious Holidays

You may take time off to observe your religious holidays. The time off is without pay. If available, a full day of unused vacation time can be used to observe a religious holiday with pay. You must notify your Supervisor at least ten business days in advance.

2. Designated Day

We schedule all national holidays on the day designated by common business practice. In the event a holiday falls on Saturday, the previous Friday shall be taken. If the holiday falls on Sunday, the following Monday shall be taken. It shall be the policy of the City to try and insure all employees are given the same number of holidays each year.

3. Single Work Shift – On Call Hours Worked

For all departments operating on a single work shift basis, any employee regularly scheduled to work on a holiday the department supervisor shall designate hours to be taken in lieu of the holiday within thirty (30) days after the holiday. Holiday hours are to be taken in full increments (as earned).

4. Triple Work Shift

For all departments operating on a three work shift, seven day a week basis, any employee regularly scheduled to work on a holiday, the department Supervisor shall designate a day to be taken in lieu of the holiday within fourteen (14) days prior to through thirty (30) days after the holiday. Also, if the holiday falls on the employee's regular day off, the department Supervisor shall designate another day to be taken within fourteen (14) days prior to through thirty (30) days after the holiday. Holiday hours are to be taken in full increments (as earned).

5. Any Day Other than the Holiday (Single & Triple Work Shifts)

When one or more of the City's annual, paid holidays fall within an employee's regularly scheduled workweek, the employee shall be compensated at a rate of 1 ½ times the employee's regular pay rate for the number of hours worked in addition to the employee's regularly scheduled work hours on any day other than the actual holiday. For the purpose of this paragraph, "regularly scheduled work hours" will be calculated on a daily basis.

EXCEPTION: an exception to the "daily basis calculation" can be made if employee & supervisor agree to adjust hours that week resulting in a regularly scheduled work week for that employee. (40/43 hours, no overtime)

6. Holiday Call In Pay (Single & Triple Work Shifts)

Any employee that is on a City paid holiday, and gets called into work, for a verifiable requirement, will be paid at the employee's regular pay rate, for holiday hours worked. Any holiday hours worked and paid at an employee's regular pay rate will be paid in addition to regular straight time holiday hours.

7. Holiday During Vacation Schedule

If a holiday occurs during your scheduled vacation, you are permitted to take an extra day of vacation.

8. Holiday Pay Qualification

In order to qualify for holiday pay, you must work the scheduled workday immediately before or the next scheduled workday after the holiday. Only excused absences will be considered exceptions to this policy.

You are not eligible to receive holiday pay when you are on a leave of absence.

9. Separating Employees

Upon leaving employment any unused holiday hours within the 30 days after the actual holiday will be paid.

Vacations

3.040 Vacations

Vacation is a time for you to rest, relax, and pursue special interests. The City has provided paid vacation as one of the many ways in which we show our appreciation for your loyalty and continued service.

- 1. Full Time Eligibility.** All full time employees are eligible for vacation leave.
- 2. Part Time Eligibility.** All part time employees working at least 1040 hours a year are eligible for vacation leave based on their pro-rata percentage of a full time work schedule.
- 3. Employment Year Basis of Calculation.** The employee's employment year (A year that begins on the employee's employment date and continues through a one (1) year period that ends on the day preceding the anniversary of their employment date) is used for calculating and accruing vacation leave.
- 4. Bi-Weekly (Two week pay periods during a year) Accrual.** Vacation leave shall begin to accrue with the employee's first pay date. After the initial pay date vacation will accrue at the beginning of each biweekly pay period. Employees shall not take vacation leave before it is accrued. Vacation advances will not be allowed.
- 5. Vacation Accrual Rates.** Employee will earn vacation leave by the following schedule. Employees shall earn their vacation bi-weekly but must complete probationary period prior to taking any time. (Probationary period is explained in the Employment Policies section of this manual). After the probationary period employees shall earn vacation bi-weekly and be allowed to take their vacation as it is earned.

| | |
|---|----------------------|
| First (1) year of employment | 1.54 hours bi-weekly |
| Second (2) through Seventh (7) year of employment | 3.08 hours bi-weekly |
| Eighth (8) through Fourteenth (14) year of employment | 4.62 hours bi-weekly |
| Beyond the Fourteenth (14) year of employment | 6.16 hours bi-weekly |

- 6. Separating Employees.** Separating employees will be compensated for vacation leave accrued but not taken as of the last full pay period worked, provided the person has completed their probationary period. When a person is re-employed, their new employment date shall be the basis of computing vacation leave.
- 7. Scheduling.** Vacation leave should be scheduled with the Supervisor at least one (1) week in advance if possible.
- 8. Approval of Leave.** An "Absence Report and Leave Request" form must be submitted and approved by the Supervisor.

9. Maximum Accrued Vacation Leave. 80 hours of vacation leave (over and above hours earned in any given year) may be carried from one year to the next year. Any hours over and above this limit will be forfeited and not to be recoverable at any time in the future.

| Hours Earned Per Year | Carry Over | Maximum Carry Over |
|------------------------------|-------------------|---------------------------|
| 80 hours | 80 hours | 160 hours |
| 120 hours | 80 hours | 200 hours |
| 160 hours | 80 hours | 240 hours |

10. Waiving Vacation is Prohibited. As vacation leave is granted for a period for employees to rest, relax, and to pursue special interests no employee shall be permitted to waive such leave for any reason.

11. Holidays Occurring During Vacation. Any official holiday as set forth in this personnel policy, which occurs during an employee’s scheduled vacation period shall not be counted as a day of vacation.

12. Approval of Exceptions. The City Administrator must approve, in writing, any exception to this policy.

13. Vacation Policies

Every effort will be made to grant you your vacation at the time you desire. However, vacations cannot interfere with your department's operation and therefore must be approved by your Supervisor at least one (1) week in advance if possible. If any conflicts arise in requests for vacation time, preference will be given to the employee with the most seniority.

You may not receive advance vacation pay (for vacation time taken in excess of your vacation accrual balance).

Specific vacation increments must be established by prior arrangement with your Supervisor. The request will be granted only as long as your absence will not seriously affect the City's operations. Usually, only one employee may be out on a vacation day in a department at any one time.

If you are on an unpaid approved Leave of Absence for less than thirty (30) days, your vacation eligibility will not be affected; should the leave extend beyond thirty (30) days, vacation time will not continue to accrue.

Other Paid Leaves

3.045 Floating Personal Day

After one year of employment, and each full year there after, all full time employees shall earn one personal day, based on their regularly scheduled workday. Day off is to be taken within a one year period following it being earned and cannot accumulate.

3.050 Funeral (Bereavement) Leave

You are entitled to take up to twenty-four (24) working hours with pay to attend the funeral and take care of personal matters related to the death of a member of your immediate family. (Immediate family shall include father, step-father, mother, step-mother, sister, brother, spouse, children, step-children, grandparents, grandchildren, in-laws of the same degree, and domestic partners). Domestic partner is defined as a personal relationship, of 6 months or longer, between individuals who live together and share a common domestic life but are not joined in a traditional marriage.

With your Supervisor's approval, you may take up to one full day without pay to attend funerals of other relatives and friends. If you prefer, unused personal leave or a day of earned vacation may be used for this purpose.

Paid time under this policy is given over and above any time allowed and earned under our Personal Leave policy.

Pay for a funeral leave will be made for actual time lost from work. If the death occurs at a time when work is not scheduled, payment will not be made. If a holiday or part of your vacation occurs on any of the days of absence, you may not receive funeral leave in addition to holiday or vacation pay.

An excused absence for family death may not be retroactive, postponed or split.

3.055 Jury Duty

It is your civic duty as a citizen to report for jury duty whenever called. If you are called for jury duty, we will permit you to take the necessary time off and we wish to help you avoid any financial loss because of such service. If you have completed your Probationary Period, the City will reimburse you the difference between pay received for jury duty and your normal city pay.

You must notify your Supervisor within forty-eight (48) hours of receipt of the jury summons.

On any day or half-day you are not required to serve, you will be expected to return to work. In order to receive jury duty pay, you must present a statement of jury service and pay to your Supervisor, the court issues this document.

You must report for work if you are released from jury duty before the end of our workday or if you are temporarily released from jury duty.

3.060 Safety Incentive Program

PART A – DAYS OFF WITH PAY

In an effort to reward employees for their cooperation in reducing job related accidents and injuries in the City of Hollister, a safety incentive program was established July 1, 1991.

All employees should be aware that the awards are to be earned through safe work practices and will be strictly administered. This program applies only to work related accidents or injuries. The following rules apply but may be changed as the program develops, so it can be administered as fairly as possible with the maximum amount of success;

1. Award Periods

There will be two award periods each year. The first period will run from January 1st through June 30th and the second period will run from July 1st through December 31st.

2. Eligibility

- a. All employees, except seasonal or temporary employees, are eligible for the program.
- b. Any employee hired during an award period will not be eligible to participate until the next award period.
- c. An employee must have been on duty and worked their shifts (minus any authorized leave taken).
- d. When an employee is discharged or leaves employment for any reason, safety incentive rights will be forfeited.
- e. All permanent full time employees will be eligible to participate in the Safety Incentive Program and permanent part time employees shall be eligible based on their percentage of work schedule.

3. Days Off with Pay

- a. Employees who work two consecutive award periods without a preventable accident or injury will be awarded one day off with pay after the first year. If there is a preventable accident the day is forfeited.
- b. Employees who work two consecutive award periods without a preventable accident or injury will be awarded two days off with pay after the second year and each year thereafter. If

there is a preventable accident 1 day is forfeited and if there is a second accident 2 days are forfeited.

- c. All requests for days off will be approved at the discretion of department Supervisors.
- d. Days off are to be taken within the six-month period following their being awarded and cannot accumulate.

4. Failure to Report an Accident

Employees are required to report all injuries or accidents that have a possibility of a claim. Failure to report an accident, injury, property damage or violation of a safety work procedure immediately will result in the employee being declared ineligible for Safety Incentive Award for one year.

Depending on the severity of the accident/incident suspension or termination may apply to any violation.

5. Definition of Preventable Accident

A preventable accident is one in which the employee failed to do everything reasonable expected to prevent it.

6. Certification

Before any employee is awarded a day off with pay, he/she must be certified by the Loss Control Safety Committee as having met the minimum requirements.

7. Appeal Process

If an employee disagrees with the decision of the Loss Control Safety Committee on whether or not an accident was preventable, he or she may take the following action.

- a. Within 10, calendar days, after the initial ruling, inform one of the members of the committee that you wish to meet with the committee to discuss their decision regarding your accident.
- b. If the matter remains unsettled after the above meeting, the employee may follow the grievance policy guidelines.

PART B – EMPLOYEE SAFETY APPRECIATION LUNCHEON

Award Periods

After three months (every quarter) with no employee accidents, injuries, or property damage there shall be an Employee Safety Luncheon and all employees are invited.

3.065 Sick Leave

1. Sick Time Eligibility

All full time employees shall earn four (4) hours of sick leave per full month worked, for each twelve (12) month period of employment (forty-eight (48) hours per year). Sick leave shall accrue beginning after the first full month from the date of employment but shall not be used until the successful completion of their probation period with pay. Part time employees shall earn sick leave at their pro-rata percentage of a full time work schedule. Seasonal or Temporary employees are not eligible for sick leave.

2. Doctor's Slip Requirements

After an employee has used three (3) consecutive full days of sick leave, a doctor's slip, covering dates of absence, must be submitted to be eligible to return to work and for any more successive days of paid sick leave. At the Supervisor's discretion a doctor's slip may also be required for the first (1st) day of sickness, particularly in cases of recurring absences or chronic illness.

3. Sick Leave Accumulated

Sick leave may be accumulated up to two hundred forty (240) hours. Sick days accumulate from year to year. If you have unused sick days available upon the termination of your employment with the City, you will not be paid for that time.

4. Report Sick Time To Supervisor

An employee who is unable to report for work because sickness shall report the reason for his/her absence to his/her Supervisor within fifteen (15) minutes of the expected report time. Abuse of an employee's sick leave privilege can result in dismissal.

5. Sick Leave Use

An employee who is eligible may use sick leave for the following reasons:

- (1) Personal illnesses or physical incapacity, doctor or dental appointment.
- (2) Quarantine of the employee or of the immediate household by a physician.
- (3) Illness in the immediate family requiring the employee to be absent from work.

6. Sick Leave May Not Be Used

Sick leave may not be used as a result of self-inflicted injury, illegal substance abuse or alcohol abuse, or illness or injury incurred while in the act of committing a felony.

7. Immediate Family

"Immediate family" for the sick leave policy is defined as spouse, parents, spouse's parents, children, domestic partner, and any person living in the household directly dependent upon the employee for support. Domestic partner is defined as a personal relationship, of 6 months or longer, between individuals who live together and share a common domestic life, but are not joined in a traditional marriage.

8. Sick Time Will Not Result In Overtime

Payment of sick leave will not result in payment of overtime. If an employee is called in, by their Supervisor and had sick hours that week, sick time shall be paid as straight time, over and above their normal work week hours.

9. Leave Of Absence

If you are on an approved leave of absence for less than thirty (30) days, your sick leave eligibility will not be affected; should the leave extend beyond thirty (30) unpaid calendar days, sick leave time will not continue to accrue.

10. Workers' Compensation

In the event of an illness or injury covered by Workers' Compensation, this sick leave policy will not apply, but will defer to State Statutes.

Unpaid Leaves of Absence

3.070 Unpaid Leave of Absence

Occasionally, for medical, personal, or other reasons, you may need to be temporarily released from the duties of your job with City, but may not wish to submit your resignation. Under certain circumstances, you may be eligible for an unpaid leave of absence. **Employees will be required to use accrued paid leave (vacation and/or sick leave) prior to any unpaid leave**

There are several types of unpaid leaves, which you may be eligible for.

3.075 Election Day

We encourage you to exercise your voting privileges in local, state, and national elections. However, since the polls are open for long periods, you are encouraged to vote before or after regular working hours. If it should be necessary, you may take up to two hours leave from work to vote in a governmental election or referendum. You will be expected to notify your Supervisor at least one week in advance. You will not be paid for such time. Personal leave time, if available, may be used for this purpose.

3.080 Family/Medical Leave of Absence

Family Medical Leave Employees will be required to use accrued paid leave (sick leave first, then vacation) prior to any unpaid leave.

The City of Hollister complies with the provisions of the Federal Medical Leave Act of 1993 to provide up to twelve (12) weeks of unpaid medical leave, on a “rolling” twelve (12) month period measured backward from the date an employee uses any FMLA leave, for the following reasons:

1. The employee has a serious health condition that renders the employee incapable of performing the functions of his or her job for three (3) or more workdays;
2. The birth of the employee's child;
3. The adoption of a child by the employee or the foster care placement of a child with the employee; or
4. The employee is required to care for a spouse, child or parent with a serious health condition. The employee's child must be either under the age of 18 or over 18 and incapable of self-care because of a mental or physical disability.

EMPLOYEE ELIGIBILITY AND REQUEST FOR LEAVE

Employees who have been employed with the City of Hollister for twelve (12) months prior to the commencement of the leave and have worked 1,250 hours or more during the prior twelve (12) months are eligible for Family and Medical Leave (FML). Once approved, employees requesting leave are allowed to be paid for this leave using first accrued sick leave, vacation, and then compensatory time. When all accrued sick, vacation, and compensatory leave has been used, the remainder of the FMLA leave period will be leave without pay.

Employees requesting FML must complete the "REQUEST FOR FAMILY /MEDICAL LEAVE" application (see example form on file at the City Clerk's office) and return it to their Supervisor for approval at least fifteen (15) days prior to the leave being taken, unless the reason for the leave is an unforeseeable, emergency situation. When the leave is unforeseeable and medically unplanned, the employee must give notice to his or her immediate supervisor as soon as the necessity for the leave arises and make a reasonable effort to schedule the leave to minimize disruption of their work unit's operations. Employees requesting leave for the birth or placement of a child must use the leave within twelve (12) months from the date of the birth or placement.

It is the responsibility of the employee to completely and accurately fill out the FML application and secure the required physician's medical certification from the appropriate health care provider before the application is submitted.

Employee's requesting leave to care for a spouse, child or parent must have a medical certification completed by their physician (see example form on file at the City Clerk's office) prior to taking the leave. This certification must state that the employee is needed to assist in the patient's care and give an estimate of the amount of time the employee will be needed.

If the employee has a serious health condition, the certification must state that the employee cannot perform the functions of his/her job and an estimated return to work date.

A "Serious Health Condition" is defined as an illness, injury, impairment, or physical or mental condition that involves one of the following:

1. Hospital Care

Inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity or subsequent treatment in connection with or consequent to such inpatient care.

2. Absence Plus Treatment

A period of incapacity of more than three (3) consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition), that also involves:

- a. Treatment two (2) or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or referral by, a health care provider; or

- b. Treatment by a health care provider on at least one (1) occasion, which results in a regimen of continuing treatment under the supervision of the health care provider.

1. Pregnancy

Any period of incapacity due to pregnancy or prenatal care.

2. Chronic Conditions Requiring Treatments

A chronic condition which:

- a. Requires periodic visits for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider;
- b. Continues over an extended period of time (including recurring episodes of a single underlying condition); and
- c. May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).

3. Permanent/Long-term Conditions Requiring Supervision

A period of incapacity, which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider (e.g., Alzheimer's Disease, severe stroke, and late stages of a terminal disease)

4. Multiple Treatments (Non-Chronic Conditions)

Any period of absence to receive multiple treatments (including any period of recovery there from) by a health care provider, or by a provider of health care services under orders of or on referral by a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three (3) consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), and kidney disease (dialysis).

BENEFITS, SENIORITY AND RESTORATION TO EMPLOYMENT

During an employee's use of FML, employees will retain their health plan coverage under the same conditions that applied before the leave. The City will continue its contribution at the same rate and level. It is the employee's responsibility to pay his/her shares in a timely and prompt fashion. Failure of an employee to pay his/her portion of the health insurance premium may result in loss of coverage. When in a leave without pay status, employees are not entitled to the accrual of any seniority or employment benefits that may have accrued. An employee who takes FML will not lose any seniority or employment benefits that accrued before leave without pay began.

An employee must submit a "released and returned to full and regular duties" certification statement from the appropriate health care provider at least five (5) working days before returning to work from FML. Employees returning to their full and regular duties will be

restored to their old position or to a position with equivalent pay, benefits, and other terms and conditions of employment. The City will make an effort to return employees to their original jobs, when possible and practical.

However, the City of Hollister does not guarantee that an employee will be returned to his or her original job/position. The City will make a determination as to whether an equivalent position is available, once the employee notifies the City of his/her intent to return.

FAILURE TO RETURN FROM FML

The failure of an employee to return to work upon the expiration of a family or medical leave of absence may subject the employee to termination unless an extension is granted. An employee who requests an extension of FML due to the continuation, recurrence or onset of the employee's own health condition, his/her spouse, child or parent, must submit a request for an extension in writing along with another physician's medical certification indicating the continuing health condition. This written request should be made as soon as the employee realizes that he/she will not be able to return at the expiration of the leave period. If an employee fails to return to work after the expiration of the FML due to any reason other than the continued presence of a serious health condition or circumstances beyond the employee's control, the employee will be required to reimburse the City for payment of all health insurance premiums made by the City during the family or medical leave.

INTERMITTENT/REDUCED SCHEDULE LEAVE

Intermittent leave is defined as leave taken in separate blocks of time due to a single illness or injury, rather than for one (1) continuous period of time, and may include leave periods from an hour to several weeks. Reduced schedule leave is a leave schedule that reduces an employee's usual number of working hours per workweek or hours per workday.

Intermittent or reduced schedule leave for the birth or placement of a child may be granted on a case-by-case basis as the staffing and efficiency needs of the department dictate. Intermittent leave must be agreed upon by the City and the employee prior to the employee taking leave.

Intermittent/reduced schedule leave for the placement or birth of their child, may not impair the efficiency or productivity of the employee's work unit or disrupt or limit the services the City provide its customers.

3.085 Military Leave of Absence

1. Employees who are members of the National Guard or of any reserve component of the Armed Forces of the United States ("employee member") shall be entitled to a leave of absence and reinstatement without loss of regular leave, impairment of efficiency rating, or of any other rights or benefits to which such employee is entitled by law for all periods of military services during which they are engaged in the performance of duty or training in the service of the State

of Missouri at the call of the Governor or during which they are engaged in the performance of duty in the service of the United States under competent orders.

2. Employees called to duty in the service of the United States are to be paid their full salary for a period not to exceed one hundred twenty (120) hours during the Federal fiscal year. The Federal calendar runs from October first (1st) to September thirtieth (30th).

Employees must be paid for each hour they were scheduled to work that they miss due to absence caused by being on military leave up to a period not to exceed one hundred twenty (120) hours during the Federal fiscal year. This essentially amounts to three (3) weeks of paid leave.

3. Employees called upon military service by the Governor or by the Adjutant General are to be paid their full salary for all periods of military service during which they are engaged in the performance of training or duty for this State without regard to length of service.

4. Employees are required under State and Federal law to file an official order from the appropriate military authority as evidence of such duty for which military leave is granted. However, Federal law also provides that in cases of emergency or secrecy, such notification would not be required.

3.090 Personal Leave of Absence

In very special circumstances, the City may grant a leave for a personal reason, but never for taking employment elsewhere or going into business for yourself. You should request an unpaid Personal Leave of Absence from your Supervisor. A Personal Leave of Absence must not interfere with the operations of your department or City. Your Supervisor will submit your request to the City Administrator for final approval.

A Personal Leave of Absence may be granted for up to thirty (30) days. If your leave is extended for more than thirty (30) days, vacation and other benefits will no longer continue to accrue. Consult your group insurance booklet to determine your insurance coverage during a leave of absence. Failure to return from a leave at the time agreed will result in termination of employment.

Note: See "Returning From a Leave of Absence" later on in this section for further information.

3.095 Accepting Other Employment or Going In To Business While on Leave of Absence

If you accept any employment or go into business while on a leave of absence from the City, you will be considered to have voluntarily resigned from employment with the City as of the day on which you began your leave of absence.

Insurance Coverage

3.100 Group Insurance

The City is interested in the health and well being of you and your family. A comprehensive health and life insurance program is available for you and your family. We provide group insurance underwritten by a national insurance carrier. After completion of 180 days Probationary Period, you become eligible for coverage. At that time, you may choose to accept the insurance coverage, or not.

The following benefits are provided, as defined and limited in the literature provided by our insurance company:

- Group Term Life Insurance
- Accidental Death & Dismemberment Insurance
- Major Medical and Surgical Coverage
- Medical Health Care Coverage

If you choose insurance coverage, our insurance company provides a booklet describing your benefits; a copy of this will be given to you prior to your effective date of coverage.

1. As per the current insurance coverage of the City, eligible employees may participate in the health and life insurance program. The City shall pay the premiums for the employee coverage and the employee shall pay one hundred percent (100%) of dependent cost for eligible family members. Premiums for eligible family members shall be made by payroll deductions. Federal law requires when an insured eligible employee terminates employment, they may continue to participate in the City group health plan for up to eighteen (18) months after termination. The terminated employee shall pay all premiums due for the terminated employee and the family members prior to the premium due date as set by the current insurance policy.

2. For employees or dependents sixty-five (65) or older who wish to have a Medicaid supplement policy versus the City offered group insurance, the City will pay up to an equal amount paid for other employees and dependents.

3. Dental and Vision is available to eligible employees at their own expense.
4. As per the current insurance coverage of the City, elected officials may participate in the health insurance program. The City shall pay the premiums for the elected official; dependents are not covered under the plan. Federal law requires when an insured eligible official terminates his elected term, they may continue to participate in the City group health plan for up to eighteen (18) months after termination. The terminated official shall pay all premiums due prior to the premium due date as set by the current insurance policy.

3.105 Health Insurance

Today's many health insurance plans and options can be confusing and complicated. That is why the City has taken the time to carefully review the coverage and plans available. We have selected the plan that provides the best coverage for our employees. Refer to the literature provided by our insurance company for details on your health coverage.

3.110 Life Insurance

If you are a full-time employee of the City, our group life insurance covers you. This insurance is payable in the event of your death while you are insured. Payment will be made in a lump sum or in installments to the beneficiary, as designated by you. You may change your beneficiary whenever you wish by submitting the appropriate documents to the City Clerk. Refer to the literature provided by our insurance company for details on your life insurance coverage. Current life insurance policy is \$20,000. At age 65 the insurance company reduces coverage.

3.115 Termination of Insurance

Your insurance will terminate when the insurance policy terminates, when you fail to make an agreed contribution to premium when due, when you cease to be eligible for coverage under the terms of our group insurance program, or when you cease to be employed as a regular full-time employee eligible for the insurance. For details on COBRA coverage contact the City Clerk.

Government Required Coverage

3.120 Workers' Compensation

The Missouri Workers' Compensation Law is an insurance plan which is supervised by the state and 100% paid for by the City. This law was designed to provide you with benefits for injuries, which you may suffer in connection with your employment. Under the provisions of the law, if you are injured while at work, you are eligible to apply for Workers' Compensation.

All employees with work related injuries shall report to a local doctor of the City's choice.

1. Who Is Covered?

Every City employee is protected by Workers' Compensation.

2. What Is Covered?

Any injury is covered if it's caused by your job—not just serious accidents, but even first-aid type injuries. Illnesses may also be covered, if they're related to your job. For example, common colds and flu are not covered, but if you caught tuberculosis while working at a TB hospital, that's covered. The main question is if the injury or illness is the result of the performance of your job.

3. When Am I Covered?

Worker's Compensation coverage begins the first minute you're on the job and continues anytime you're working for the City. You don't have to work a certain length of time, and there's no need to earn any minimum amount of wages before you're protected.

4. What Are the Benefits?

Missouri Law provides several kinds of workers' compensation benefits:

- **Medical care to treat the injury.** For example, doctor bills, medicines, hospital costs, and crutches are covered. There is no deductible or co-payment. All costs are paid directly by the City's insurance company. If you receive a bill, forward the bill to the City Clerk and she will forward it to the insurance carrier.
- **Temporary Total Disability.** Injuries that cause you to miss work usually keep you from working only temporarily. If this is the case, you will receive Temporary Total Disability (TTD). This benefit is calculated at 66 2/3 percent of your average weekly wage, not to exceed a maximum amount set by the legislature. TTD is not paid for the first 3 days you are unable to work unless you are unable to work for more than 14 days. In these instances, the 3-day waiting period is reimbursed.

The insurer must send your benefit checks at the same time you were normally paid when you were working or at least every 2 weeks. TTD is paid for up to 400 weeks or until one of the following occurs:

- You return to work
 - You have been released by the doctor without any physical restrictions or there can be no improvement in your physical condition
 - Other events occur that can be legal reasons for stopping your benefits
- **Temporary Partial Disability.** If you return to work and due to your injury, you earn less than before your injury, you may be eligible for Temporary Partial Disability (TPD) benefits. TPD is paid while you are still receiving medical treatment and equals 2/3 of the difference between your wage at the time of the injury and your new wage. This benefit can be paid for a maximum of 100 weeks. The amount cannot exceed the maximum TTD rate set by law.
 - **Permanent Partial Disability.** Some injuries are permanent. For example, you may have lost a part of a finger or your back will never function as it did before the injury. If you have an injury that is permanent and partial and the doctor has rated the injury, you are eligible for a Permanent Partial Disability (PPD) benefit. The percentage of disability assigned to the body part injured determines the amount of the PPD benefit paid to you. It is paid after your temporary total disability benefit ends.
 - **Permanent Total Disability.** Sometimes a work injury or illness prevents you from returning to any type of work. Then you may be eligible for Permanent Total Disability (PTD) benefits. PTD benefits are paid for life at the same rate as your Temporary Total Disability benefit.
 - **Death Benefits.** Dependents of a worker who dies because of a work related accident or disease might be eligible for dependents' benefits. The weekly benefit is based on the number of dependents and the workers' wage. In addition, funeral expenses are paid up to a statutory maximum.

5. Supplemental Compensation

The City will not supplement the Workers' Compensation benefit with any type of pay; you may not receive sick leave, vacation pay, etc. in addition to paid Workers Compensation. Temporary disability benefits are designed to compensate the injured worker when the worker cannot work or when the worker is making less than the earnings at the time of the injury. The benefits are set at 66 2/3 of the employee's average weekly wage (no taxes or withholdings are deducted). This is approximately the amount a working employee would receive as take home wages after taxes and withholdings are deducted.

6. How Do I Get the Benefits?

All injuries, no matter how slight, must be reported immediately to your Supervisor to assure consideration under Workers' Compensation Insurance, should complications develop later. Your

Supervisor will see that you receive medical attention. It is the employee's responsibility to report the claim at the City Clerk's office for a compensation claim.

There are reports for you to fill out; forms to sign. Tell your Supervisor what, where, when, and how it happened -- enough information so that he or she can arrange medical treatment and complete the necessary reports. In an emergency, you may go directly to the emergency room. Later, you will be required to furnish your Supervisor with written statements regarding the on-the-job accident so that we may accurately document the incident, and so you may receive all the benefits to which you are entitled. (Failure to do this could result in loss of benefits.)

Prompt reporting is the key.

7. What If There's a Problem?

Fortunately, most claims are handled routinely. If you think you have not received all the benefits due you, or you have not received any benefits contact the City Clerk.

If you are not satisfied with the explanation get advice from the nearest office of the Missouri Division of Workers Compensation, 1736 East Sunshine, Suite 610, Springfield, MO 65804 or call 417-888-4100.

If the problem still can't be resolved, you may contact the Dispute Management Unit at 800-775-2667.

8. Other Benefits

If the injury is very serious - one where you won't be able to work for a year or more - you may be eligible for additional benefits from Social Security. For information contact the nearest office of the Social Security Administration, or discuss your situation with the claims representative of the City's Workers' Compensation Insurance carrier.

Employees returning to work after being absent due to an injury must report to their Supervisor prior to beginning work, and must bring a doctor's clearance for returning to duty.

3.125 Unemployment Compensation

The City pays a percentage of its payroll to the Unemployment Compensation Fund according to the City's employment history. If you become unemployed, you may be eligible for unemployment compensation, under certain conditions, for a limited period of time.

Unemployment compensation provides temporary income for workers who have lost their jobs. To be eligible you must have earned a certain amount and be willing and able to work. You should apply for benefits through your local State Unemployment Office as soon as possible.

The City pays the entire cost of this insurance.

3.130 Social Security

The United States Government operates a system of contributory insurance known as Social Security. As a wage earner, you are required by law to contribute a set amount of your weekly wages to the trust fund from which benefits are paid. As your employer, the City is required to deduct this amount from each paycheck you receive. In addition, the City matches your contribution dollar for dollar, thereby paying one-half of the cost of your Social Security benefits.

3.135 Retirement Plan

The City has an Employees' Retirement Plan to provide eligible employees (who have completed sufficient service) with a monthly pension benefit upon retirement. The Missouri LAGERS Plan includes provisions for normal retirement at age sixty (60) for regular employees and age fifty five (55) for police personnel, and early retirement or disability retirement benefits for employees meeting certain qualifications.

1. The City of Hollister elects to be covered by the Missouri Local Government Employee's Retirement System, all its eligible present and future general and police employees and to cover such employees under Benefit Program L-6.
2. The City of Hollister elects that one hundred percent (100%) of prior employment be considered for prior service credit in computing benefits and contributions to the system and further elects that all employees with one thousand five hundred (1,500) or more hours of annual employment, who are not excluded by State Law, to be considered eligible employees.
3. The City of Hollister elects to have the final average salary of its employee members determined over a thirty-six (36) consecutive-month period.
4. The City of Hollister elects to require four percent (4%) of gross salary and wages as contributions from covered employees.
5. The City of Hollister elects the retirement benefits under the "80 and Out" option for all eligible employees.
6. The City Finance Officer is authorized and directed to deduct from the wages and salaries of each employee member (after he/she has completed sufficient employment for six (6) months of credited service), the contributions, if any, required by Section 70.705, RSMo., and to remit promptly the deductions to the Retirement System, together with the employer contributions required by Sections 70.705 and 70.730, RSMo., 1978, as amended. Contributions are to be effective the first (1st) day of May 1998.

Other Benefits

3.140 Annual Employee Meeting

The City sponsors at least one annual employee meeting. Watch the department bulletin board for details.

3.145 Education/Training (Attending Seminars/Training Sessions)

From time to time, the City may arrange to have both formal and informal training programs to enable you to progress in your technical knowledge of our business. Several times a year, employees are selected to attend factory schools, workshops, or training programs. You will receive a normal paycheck while attending these schools or workshops. All or a portion of the expenses for off-premises training will be paid for by the City depending on the nature of the course. Check with your Supervisor for details.

Also, during any slow periods of work you should use the time to learn more about the City and its services. You may progress, as you become more knowledgeable about your job and the jobs of the people around you. You are encouraged to ask questions about any aspect of the City that is of interest or unclear.

If you become aware of a particular seminar that you believe is appropriate for enhancing your skills (and/or those of other employees), please bring it to the attention of your Supervisor. Since these seminars are usually offered only at specified times in a geographical area, please be sure to notify your Supervisor as far in advance as possible. This way, he or she can attempt to schedule workloads to accommodate your (and/or other employees') desire to attend the seminar.

3.150 Education and Training – mileage, motel, meals

Personal use of an employee's private vehicle shall be limited to authorized meetings out side local commuting distance for reimbursement of mileage at the current IRS standard mileage rate, at the beginning of January of each year. Other expenses incurred shall be paid at actual expense based on receipts, (see form on file at the City Clerk's office). If an employee is authorized to attend meetings out of the area, they may request an advance of monies to cover additional expenses. Upon return the employee shall complete their expense report with all documentation as required and return any monies advanced that were not documented as an authorized expense.

3.155 Education and Training – Compensation for training meetings and other meetings

Hourly employees requested or authorized by their Supervisor to attend a training meeting, or any other meeting within their normal workday schedule, shall be compensated at the individual's regular rate. When an hourly employee is requested or authorized by their Supervisor to attend a training meeting, or any other meeting after having worked their

normal shift, the extra hours worked shall be included in their worked hours for the week and if worked as defined over forty (40) hours shall be paid at the rate of time and one-half (1½) for all hours over forty (40) hours. If an hourly employee requests to attend any of the above type meetings, but is not so directed or authorized, they shall do so on their own time, with no compensation for wages or other expenses.

Travel time incidental to training or meetings is the employee's responsibility to manage. An employee has the flexibility to make common sense judgments about travel times and arrangements. As a general rule employees should expect to receive pay based on their regularly scheduled work hours during meetings or training. The intent of the section is to insure that employees that are involved with temporary duty at a remote location be paid for normal hours work, but not to expect to be paid for twenty-four (24) hours a day during travel periods.

3.160 Employee Training

1. An employee, performing job training, which is approved by the City, will receive the regular rate of compensation during such training.
2. Any employee, with less than 5 years of employment, who receives training, paid for by the City, will be required to reimburse the City for the total cost of such training, if the employee voluntarily leaves City employment within one (1) year of receiving training. This reimbursement shall be deducted from the employee's last payroll check.

3.165 Employee Testing

1. An employee performing job testing, who is approved by the City, will receive the regular rate of compensation during such testing.
2. Any employee who receives testing, paid for by the City, will be required to reimburse the City for the total cost of such testing, if the employee voluntarily leaves City employment within one (1) year of receiving testing. This reimbursement shall be deducted from the employee's last payroll check.
3. The City will pay for the first test and one re-test. If an employee does not pass any further tests it will be their responsibility.

4.

Other Policies

4.010 Borrowing Tools & Equipment

See "Personal Use of City Property" later on in this section.

4.015 Bulletin Boards

Bulletins and bulletin board(s) are a way of keeping everyone informed about new policies, changes in procedures and special events. Information of general interest is posted regularly on the bulletin board(s). The City maintains both traditional and internet bulletin boards. Please form the habit of reading the bulletin board(s) regularly so that you will be familiar with the information posted on it.

Only authorized personnel are permitted to post, remove or alter any notice on the bulletin board(s). If you want to have notices posted on the City bulletin board(s), see your Supervisor for instructions.

4.020 Communications

Successful working conditions and relationships depend upon successful communication. Not only do you need to stay aware of changes in procedures, policies and general information, you also need to communicate your ideas, suggestions, personal goals or problems as they affect your work.

In addition to the exchanges of information and expressions of ideas and attitudes which occur daily, make certain you are aware of and utilize all City methods of communication, including this Employee Manual, bulletin boards, discussions with your Supervisor, memoranda, staff meetings, newsletters, training sessions, etc.

You will receive other information booklets, such as your insurance booklets, from time to time. You may take these booklets home so that your family may know more about your job and your benefits.

In addition, you may receive letters from the City. There is no regular schedule for distribution of this information. The function of each letter is to provide you and your family with interesting news and helpful information, which will keep you up-to-date on the events at the City of Hollister.

4.025 City Meetings

On occasion, you may be requested to attend a City sponsored meeting. If this is scheduled during your regular working hours, your attendance is required. If it is held during your non-working hours and you attend, you will receive compensatory time for time spent at the meeting, but only if you are one of our "non-exempt" employees.

4.030 Computer Use

1. General Statement. Computers owned by the City of Hollister are for the sole purpose of conducting City business. Any use considered to be inappropriate, unethical or immoral will result in reprimand, penalty and/or dismissal. All statements of policy in this Section also apply to the use of the Internet and other remote sites that may be accessed through any computer or computing resources owned by the City.

2. Users. Employees or officials of the City of Hollister will be the sole users of all computer resources owned by the City. Users are expected to abide by all legislation, ethical practices, and established etiquette regarding the use of computer resources, including internal networking systems, e-mail, and the Internet.

3. Uses. All computers and related resources owned by the City of Hollister are for the purpose of conducting the business of government and other uses that support the purposes and responsibility of the City of Hollister. Computer uses that are considered unethical, illegal, or inconsistent with this policy, or that attempt to or result in damage to computers, software, peripherals networking cables and equipment, or to any person are prohibited and shall be considered a violation of this policy and may result in reprimand, penalty, and possibly dismissal.

a. Appropriate uses.

- Electronic communication (e-mail, information retrieval, fax, etc.).
- Creating, archiving and researching of City records and documents.
- Creation and management of databases and spreadsheets.
- Management of billing and accounts receivable.
- Statistical analysis.
- Systems analysis.

b. Inappropriate uses.

- Any use that is contrary to or inconsistent with this policy or purposes of the City.
- Any use for personal profit or outside interests.
- Information theft, unauthorized copying, sending or receiving of copyrighted software; any fraudulent or illegal use.

Federal law penalized infringements upon copyrights, intellectual property rights, and privacy rights of individuals. The Revised Statutes of the State of Missouri (569.693-56-09) establishes penalties for tampering with or otherwise abusing intellectual property, computer equipment, or computer users. Violators can be fined from one (1) to five (5) years in Jail and one thousand dollars (\$1,000.00) to five thousand dollars (\$5,000.00) in fines.

- Sending annoying, harassing or obscene messages through e-mail.
- Purposely viewing or downloading obscene or seditious materials.
- Attempting to examine another user's files or e-mail or use another person's e-mail account without that user's expressed permission.
- Attempting to alter or in any way interfere with the normal operation of computers, computer networks, and/or any related systems files or components.
- Playing games during work hours.
- Violating the confidentiality of the City of Hollister or another person by electronic means.
- Attempting to gain unauthorized entry to stand alone or remote computers.

4. Social Media (i.e. Blogging, Texting, Twitter, etc) Policy

The City of Hollister takes no position on your decision to start or maintain a blog, text or twitter account. However, it is the right and duty of the City of Hollister to protect itself from unauthorized disclosure of information. The City of Hollister's policy on such material includes rules and guidelines for City-authorized blogging, texting, twittering and personal communication and applies to all employees including but not limited to; Executive Officers, Board Members, and Management and Non-Management Employees.

General Provisions

Unless specifically authorized by the City to do so as part of employee's position, employees are not permitted to blog, text, twitter, or use other forms of social media or technology on the Internet, phone or other communication devices during working hours or at any time on City computers or other city-supplied devices. Blogging, texting, twittering or other forms of social media or technology include but are not limited to video or wiki postings, chat rooms, personal blogs or other similar forms of online journals, diaries or personal newsletters not affiliated with The City of Hollister.

The personal use of social networking web sites such as Twitter, Blogging, Facebook, Myspace etc. must not interfere with working time. City approval is required for authors who use electronic resources of the City to send "tweets", "blogs", or other public messages.

Any messages that might act as the “voice” or position of the City must be approved by a supervisor. Any identification of the author, including usernames, pictures/logos, or “profile” web pages, should not use logos, trademarks, or other intellectual property of the City without written approval. If he or she is not providing an official message from the City, an employee who comments on any aspect of the city’s business must include a disclaimer in his or her “profile” or “bio” that the views are his or her own and not those of the City. Message should not disclose any confidential or proprietary information of the City. Written messages are, or can become, public.

Employee are expected to protect the privacy of the City and its employees and customers and are prohibited from disclosing personal employee and non-employee information and any other proprietary and nonpublic information to which employees have access. Such information includes but is not limited to customer information, confidential information, financial information, criminal records, investigations, contractual negotiations. Any violation of the policy will be subject to disciplinary action up to and including termination.

4.035 Counseling

Normally, you will be expected to use the Grievance Procedure outlined in this Employee Manual to resolve a problem. However, if the problem or complaint is of a personal nature, or a very delicate matter, you may first meet with the City Administrator to discuss it. The City Administrator believes in following the chain of command (going to your immediate Supervisor) whenever possible. They will decide if you should first discuss the problem with your immediate Supervisor. If so, you will be directed to use the Grievance Procedure. If the complaint, suggestion, or question is of such a nature that resolution would be hampered by the Grievance Procedure, the City Administrator will take the appropriate action.

4.040 Department Meetings

From time to time, your Supervisor will schedule department meetings before, during, or after work. It's to your advantage to be at these meetings. They give you and your fellow workers a chance to receive information on City events, to review problems and possible solutions, and to make suggestions about your department or your job.

If your attendance at Department Meetings is mandatory, you will be informed. Failure to attend may involve a penalty.

Note: See "City Meetings" earlier in this section for further information.

4.045 Dress Code/Personal Appearance

A neat, tasteful appearance contributes to the positive impression you make on our customers. You are expected to be suitably attired and groomed during working hours or when representing the City. A good clean appearance bolsters your own poise and self-confidence and greatly enhances the image of the City of Hollister.

Personal appearance should be a matter of concern for each employee. If your Supervisor feels your attire is out of place, you may be asked to leave your workplace until you are properly attired. You will not be paid for the time you are off the job for this purpose. Your Supervisor has the sole authorization to determine an appropriate dress code, and anyone who violates this standard will be subject to appropriate disciplinary action. Dress code descriptions shall be on file in the City Clerk's office.

Fridays will be considered casual dress day. Jeans will be allowed. Casual dress will still need to be in good taste.

4.050 Eating Etiquette at Work

1. Definition of snack

Food eaten between regular meals. A small quantity of food, refreshment taken between regular meals. For example: an apple, candy bar, bowl of potato chips, pop corn, etc.)

2. Keep it simple

It doesn't matter if you prefer a plate of spaghetti to eating chow mein with chop sticks - in the workplace; keep it simple, if you are planning to eat at your desk stick to light snacks.

3. Don't eat in front of the customers or while you're on the phone

Be aware of customers coming into your place of work and don't eat in front of them if you're at your desk. And, for those of you whose work involves using the telephone, make sure when you eat at your desk that it is small bite sizes so you can answer the phone.

4. No smelly stuff

Don't bring food into work to eat at your desk that gives off a pungent smell. Garlic and rich spicy flavored foods such as you'd find in Chinese or Indian dishes are a complete 'no-no'. You might think they smell and taste delicious but customers and your co-workers may hold a totally opposite view, at least in the workplace.

5. Watch your timing

If you work at an 8 to 5 job, be very careful about bringing things in for breakfast, it could be perceived that you're not in the right frame of mind to start your working day. After all, your boss will expect you to begin work promptly on time at the start of your shift so if you're eating; you're obviously not working which will be looked upon unfavorably by your boss or immediate supervisor. Likewise, if you're on a 15 minute break and you're eating at your desk or work station, make sure you've completed your snack and cleared up before the 15 minutes is up – your employer isn't paying you to eat on their time. If you are actually eating a meal you need to eat in the break room.

6. Lunch break

Employees are given time for a lunch break. If an employee is going to eat lunch make sure you do this during your lunch period. Don't take your lunch, come back to work, and then start eating your lunch.

7. Respect the cleaners

Cleaners play a vital role in the efficiency of a company but they are not employed to wipe down food stains or to pick up crumbs so show them and your co-workers nearby some respect and clean up your mess and get rid of any wrappers, food containers, cups and cans when you've finished eating.

8. Consider your co-workers

Remember that while you might be on your break, having a snack, your co-workers are still working, so show them some respect and keep chat to a minimum. If you do engage in any kind of conversation with them, don't talk with your mouth full. There's nothing quite as repulsive as somebody spitting remnants of food at you when you're having a conversation.

9. Practice good hygiene

Once you have finished eating and have cleaned up, go to the bathroom and clean your teeth. A toothbrush and small tube of toothpaste kept in a bag or pocket is always useful in the workplace. Wash your hands thoroughly also before resuming work, especially in a shared workspace where somebody might have to use the same equipment as you've been using.

10. Keep food and work separate

Whenever it's possible, however, you should always try to keep food and work separate and to only eat in a designated place like the break room. Not only will this mean that you'll not have to remember so many Do's and Don'ts, a break room is also a good place for you to relax.

11. Special events

Special food events will be allowed; such as potluck luncheons, baked goods, and/or snacks in the break room.

4.055 Employee Referral/Recruitment

Open positions will be posted on the City Hall bulletin board. You are encouraged to recommend and refer qualified candidates for employment with the City. If you know of someone who would like to work here, we will be glad to consider him or her for appropriate openings. Notify your Supervisor and be sure the individual mentions your name when contacting the City.

4.060 Entering & Leaving the Premises

At the time you are hired, you will be advised about the proper entrances and exits for our employees. You are expected to abide by these rules at all times. Failure to do so will lead to disciplinary action.

4.065 Entry After-Hours

You are not allowed to enter City property after normal working hours for any reason without the express approval of your Supervisor.

4.070 Exit Interviews

In instances where an employee voluntarily leaves our employ, the City Administrator would like to discuss your reasons for leaving and any other impressions that you may have about the City. If you decide to leave, you will be asked to grant us an exit interview. During the exit interview, you can express yourself freely. It is hoped that this exit interview will help provide insights into possible improvements. All information will be kept strictly confidential and will in no way affect any reference information that the City will provide another employer about you.

4.075 Expense Reimbursement

You must have your Supervisor's written authorization (requisition/purchase order, etc.) prior to incurring an expense on behalf of the City. To be reimbursed for all authorized expenses, you must submit an expense report/voucher accompanied by receipts and approved by your Supervisor. Please submit your expense report/voucher each week, as you incur authorized reimbursable expenses.

If you are asked to conduct City business using your personal vehicle, you will be reimbursed at the rate comparable with the current IRS standards.

4.080 Fire Drills

We schedule drills for employee safety. Your Supervisor can answer any questions you may have about what to do.

4.085 First Aid

Federal law (OSHA) requires that we keep records of all illnesses and accidents, which occur during the workday. The Missouri State Workers' Compensation Act also requires that you report any illness or injury on the job, no matter how slight. If you hurt yourself or become ill, please contact your Supervisor for assistance. If you fail to report an injury, you may jeopardize your right to collect Workers' Compensation payments as well as health benefits. OSHA also provides for your right to know about any health hazards, which might be present on the job. Should you have any questions or concerns, contact the City Clerk or your Supervisor for more information.

We have made an arrangement with St. John's Health Clinic to provide first aid in medical emergencies.

4.090 Gifts

Advance approval from your Supervisor is required before an employee may accept or solicit a gift of any kind from a customer, supplier or vendor representative. Employees are not permitted

to give gifts to customers or suppliers, except for certain promotional "premiums" (t-shirts, coffee mugs, pens, key chains, candy suckers, dog treats, etc.).

4.095 Gifting Policy – Flowers

The City sends floral displays for funerals.

- **Death of an Employee Family Member**
Upon the death of a full-time employee's family member (spouse, parents, spouse's parents, children, domestic partner, and any person living in the household directly dependent upon the employee for support). The department should notify the City Clerk. The City Clerk will convey the condolences of the City by ordering a \$50 (estimate) plant or floral arrangement that will be marked from the "City of Hollister".
- **Death of an Employee**
Upon the death of a current, full time, City employee, the department should notify the City Clerk. The City Clerk will order a \$50 (estimate) plant or floral arrangement that will be marked from the "City of Hollister".
- **Death of Former Employee, Civic or Community Leaders**
Upon the death of a former "long-term" City employee, City official, past City official, current committee members, civic & community leaders, City administration may consider if flowers will be sent. Consideration will be based term of employment, civic contributions, etc.

When a death occurs over the weekend, or other circumstances prevent the proper notice to the City Clerk, a \$50 (estimate) plant or floral arrangement sent to the employee's home or to the family's home, whichever is most appropriate.

Notify the City Clerk of the name of the deceased (eg. Employee or member of the employee's family), the relationship of the deceased to the employee, if not for the death of an employee, which mortuary will be used and the date of the funeral. Questions should be directed to the City Clerk.

The City does not send flowers to employees that have been hospitalized.

4.100 Grievances

The most effective accomplishment of the work of the City requires prompt consideration and equitable adjustment of the employee grievances. It is the desire of the City to adjust the causes of grievances informally, and both Supervisor and employees are expected to make every effort to resolve problems as they arise.

1. An employee may present their grievance to their Supervisor.

2. All grievances shall be submitted in writing to the City Administrator, with a copy to the City Clerk, who shall forward a copy thereof to the employee's Supervisor for action.

3. If the Supervisor cannot work out an agreement, satisfactory to both the Supervisor and employee, within ten (10) working days, the grievance shall then be presented to the City Administrator in writing.

4. The City Administrator shall convene a closed hearing within ten (10) working days to consider the grievance. The employee, the Supervisor and/or the department head shall have the right to be heard. All City employees shall be considered in the service of the City during the course of the grievance hearing, and each employee shall be paid at his/her regular hourly rate for the time spent in the hearing.

5. Following the hearing, the City Administrator shall refer the grievance to the Mayor who shall within ten (10) working days take whatever action is necessary including, but not limited to, a recommendation to change the personnel rules and regulations or the work practices of the City. A finding that the grievance is unjustified, or any other appropriate recommendation, shall be given to the Board of Aldermen at a scheduled executive Board meeting.

6. No employee shall be disciplined or discriminated against in any way because of his/her proper use of the grievance procedure. Any step of the above procedures may be the last. If all parties are satisfied during any of the above steps, the grievance shall be considered settled.

4.105 Housekeeping

Neatness and good housekeeping are signs of efficiency. You are expected to keep your work area neat and orderly at all times -- it is a required safety precaution.

Easily accessible trash receptacles are located throughout the building. Please put all litter in the appropriate receptacles and containers. Please don't put cigarettes out on the floor or throw ashes into any container not meant for that purpose. Always be aware of good health and safety standards, including fire and loss prevention.

Please report anything that needs repaired or replaced to your Supervisor immediately.

4.110 Layoff & Recall

In the unlikely event of a reduction in workforce, employees will be laid off based on skills, abilities, as well as seniority. Please understand that if the skills and abilities of two employees are equal, seniority will be the determining factor in the layoff decision.

However, when it's necessary to recall employees from layoff status, recall will be in reverse order to the layoff. Recall will be made by mail to your last known address or by telephone call.

Failure to respond to the recall within two (2) days of notice will be considered a voluntary resignation. Laid off employees must keep the City informed of any change in mailing address or telephone number. Employees will lose their seniority if laid off for more than three (3) months.

If you leave the area, plan to leave the area, or you are unreachable for a period of time, please feel free to contact your Supervisor or City Clerk to let us know you are interested in returning to work.

4.115 Life-Threatening Illnesses

The City recognizes that employees with a life-threatening illness, including, but not limited to, cancer, heart disease, and AIDS, may wish to continue to engage in as many of their normal pursuits as their condition allows, including work. These employees must be able to meet acceptable performance standards. Performing normal job functions must not exacerbate their condition. Medical evidence must indicate that their condition is not a threat to other workers.

Supervisors need to be sensitive to the employee's condition and ensure that the employee is treated consistently with other employees. The City seeks to provide a safe work environment for all employees and customers. Therefore, precautions should be taken to ensure that any employee's condition does not present a health and/or safety threat to other employees or customers.

When dealing with situations involving employees with life-threatening illnesses, Supervisors should:

- Remember that an employee's health condition is personal and confidential, and reasonable precautions should be taken to protect information regarding an employee's health condition.
- Make reasonable accommodation for employees with a life-threatening illness provided that any accommodations made do not require significant difficulty or expenses.
- Make a reasonable attempt to transfer employees with a life-threatening illness who request a transfer and are experiencing undue emotional stress.
- Be sensitive and responsive to co-workers' concerns.
- Do not give special consideration beyond normal transfer requests for employees who feel threatened by a co-worker's life-threatening illness.
- Be sensitive to the fact that continued employment for an employee with a life-threatening illness may sometimes be therapeutically important in the remission or recovery process, or may help to prolong that employee's life.

4.120 Light Duty Work Release

This policy covers employees injured both on or off the job.

The City of Hollister recognizes that employees who are injured may be unable to return to work for a period of time, depending upon the nature and severity of the injury. While some injuries may, by their nature, physically prevent employees from returning to their job duties until the injuries are completely healed, other injuries may allow employees to perform productive work.

The City believes that a reasonable approach for returning injured employees to work can benefit their medical recovery, their psychological well-being and the morale and productivity of their coworkers.

It is the intent of the light duty program to provide an avenue for injured employees to return to work at a date before they have reached maximum medical improvement, but when they can perform productive work. The goal of the program is to return such employees to their regular jobs, performing the essential functions of that job, and when necessary, the City will provide reasonable accommodations, if such can be accomplished without undue hardship to the City, and without creating unsafe working conditions for the employee or fellow employees.

Each light duty situation must be evaluated individually. Light duty assignments are determined with due regard of the need for all employees of the City to be genuinely productive. Work will not be invented or a job created for the purpose of keeping an employee busy without genuine benefit to the City within the employee's medical restrictions, the employee will not be assigned to light duty.

Nothing herein shall be construed to obligate the City to provide unreasonable accommodation, nor shall anything be construed as a guarantee or a right to return to work.

The following procedures will serve as a guideline in the event an employee cannot return to work immediately following a temporary disabling injury.

1. Preparing for a light duty program

Supervisors shall complete a "Return to Work Evaluation" form for the position they supervise, for their employee who experiences a temporary disabling injury that will result in an absence greater than three days. This form shall indicate the physical requirements necessary to perform the functions of each position and shall be periodically updated. A copy shall be sent to the City Clerk.

2. On the day of the accident

Prompt medical treatment takes priority. If it is a Workers Compensation injury the Supervisor shall notify the City Administrator and City Clerk as soon as possible and the required reports will be completed:

- a. Worker's compensation "Report of Injury", for WC-1-EDI-2
- b. Supervisor's Investigation Report

After treatment the employee must report to his/her Supervisor his/her condition and possible return to work status.

3. Within the first three days following the accident

If the employee is not released to full duty, he/she must contact their Supervisor again before the end of day three and discuss his/her ability to return to work.

4. Employee's responsibility after three days

If the employee has not returned to work after three days then the employee shall contact the Supervisor to discuss his/her return to work status, next doctor's appointment(s) and call again as soon as possible following each doctor's appointment (within 24 hours). The Supervisor will provide to the treating physician or to the employee to give to the physician the "Return to Work Evaluation" form as deemed appropriate for each doctor's visit. The evaluation form must be completed and sent to the City after the first visit beyond three days and subsequent visits if there is a change in condition from the previous completed form. (If the employee is to be absent for more than three days with only the first visit, the form must also be completed). If able to return to work, the Return to Work Evaluation form must be returned before the work date.

5. Light Duty Procedure

If determined that the employee may be medically able to perform restricted duty, the job functions (from the Return to Work Evaluation Form) of the position shall be closely reviewed by the Supervisor, employee, City Clerk and the treating physician. The Supervisor will then determine if a light duty assignment can be made. If restricted duty is available, then an assignment to temporary transitional duty will be made and the Supervisor will complete the Return-to-Work Program form and forward to the City Clerk. The light duty assignment may or may not be in the same department as the employee's regular position.

Temporary light duty assignments may be drawn from a range of areas that include but are not limited to:

- Administrative projects (special projects)
- Clerical functions (filing, data entry)
- Desk assignment (booking officer, bookkeeping)
- Communications (complaint taker, answering phones)
- Inspections (sidewalks, street signs, buildings, equipment, job sites)
- Painting (Fire hydrants, park benches & equipment)

6. Refusing light duty assignment

Employees may not refuse light duty assignments. Employees may not take accumulated sick leave to avoid light duty assignments. The City may interpret failure to accept and perform light duty work as a resignation.

7. During transitional duty

While on light duty the City must be satisfied that medical evidence indicates the employee should be expected to return to work and perform the essential functions of his/her position, or perform them with the assistance of reasonable accommodations. Light duty will be allowed until maximum medical improvement (MMI) is reached, or 90 days, whichever comes first. After 90 days an employee may present a request for an extension of temporary light duty (not to exceed an additional 90 days).

8. If the employee cannot perform the job functions of his/her position

The attending physician will evaluate any permanent disabilities an employee may have sustained and determine if they can perform all the job functions. The City will then determine if the employee can return to his/her previous position. The job functions are outlined in the employee's job description along with the physical requirements in the "Return to Work Evaluation" form. This material will be used as the criteria to determine if the employee can still perform in that position. If there are reasonable accommodations the City can make, every attempt will be made to do so, if such can be accomplished without undue hardship.

9. Reassignment

If the employee cannot return to his/her previous position and perform the functions of that position, the City will attempt to reassign the employee to another position if available, and if the individual can perform the functions of that job with reasonable accommodations, if such can be done without undue hardship.

10. Physical Examination

The City reserves the right to require a physical examination, at its expense and by a physician of its choice, to determine the extent and probable duration of the disability, after which the City will make its decision as to the assignment under this policy. The City also reserves the right to require a periodic physical examination, at its expense and by a physician of its choice, during any period of assignment under this policy for the purpose of determining any significant change in the employee's work assignment.

11. Termination

If a suitable position cannot be found, the employee will be terminated.

4.125 Outside Activities/Conflicts of Interest

No employee may take an outside job, either for pay or as a donation of his or her personal time, with a supplier of the City. If you hold a second job, part-time or full-time, or if you intend to engage in a business enterprise of your own, we would like to know about it. Before accepting any outside employment it would be a good idea to discuss the matter with your Supervisor.

4.130 Political Activities – Permitted & Prohibited

1. An employee may take part in the activities of political parties and political campaigns.

2. **An employee may not:**

- Use the employee's official authority or influence for the purpose of interfering with the results of an election.
- Knowingly solicit, accept or receive a political contribution from any person who is a subordinate employee of the employee.
- Run for nomination, or as a candidate for election, to any office.
- Knowingly solicit or discourage the participation in any political activity of any person who has an application for any compensation, grant, contract, ruling, license, permit or certificate pending before the employing department of such employee or is the subject of, or a participant in, an ongoing audit, investigation or enforcement action being carried out by the employing department of such employee.

An employee may not engage in political activity while on duty:

- In any room or building occupied in the discharge of official duties.
- By utilizing any City of Hollister resources or facilities.
- While wearing a uniform or official insignia identifying the office or position or the employee.
- When using any vehicle owned or leased by the City of Hollister or any agency or instrumentality of the City of Hollister.

3. The intent of this section of the Employee Manual is to assure that performance, merit, and personal qualification is the basis on which employees are hired and retained for employment by the City of Hollister.

4.135 Parking Lot

You are encouraged to use the parking areas designated for employees. Please keep in mind that the parking spaces in front of our building(s) are for customers and visitors only. Remember to lock your car every day and park within the specified areas.

Courtesy and common sense in parking will avoid accidents, personal injuries, damage to your vehicle and to the vehicles of other employees. If you should damage another car while parking or leaving, immediately report the incident, along with the license numbers of both vehicles and any other pertinent information you may have, to your Supervisor.

The City does not assume any liability for any loss or damages you may sustain.

4.140 Payroll Advances

The City does not advance pay to employees.

4.145 Personal Phone Calls & Mail

The personal use of City telephones should be kept brief and infrequent.

Employees are assigned a long distance phone code on landlines. This code must be used when making any long distance call. Each month employees are required to review their long distance phone bill, for both landline and cellular telephones. The cost of making any personal calls must be reimbursed to the City within ten (10) days of receipt of bill.

Any remaining, unpaid, personal telephone charges, at the time an employee terminates employment with the City, will be deducted from the employees final payroll check. Only telephone charges listed on the latest telephone bill, in the City's possession, will be handled in this manner.

Do not use the City's address as a personal mailing address.

4.150 Personal Property

Due to the strict liability guidelines of our insurance carrier, under no circumstances are you allowed to keep personal equipment or vehicles on City property where damage or fire could result.

Some departments assign a locker for your personal possessions. You are responsible for keeping your locker clean, sanitary, and orderly. Lockers may be inspected at any time, with or without notice, for cleanliness by the City and periodically you will be asked to remove your possessions so that the lockers can be sanitized. Please understand that the City cannot assume any responsibility for loss or damage to personal property of any employee.

4.155 Personal Use of City Property or Vehicles

Employees, who use a City owned vehicle or other piece of equipment, shall be responsible for its proper use and maintenance. City equipment is to be used only for City business.

4.160 Property & Equipment Care

It is your responsibility to understand the machines you need to use to perform your duties. Good care of any machine that you use during the course of your employment, as well as the conservative use of supplies, will benefit you and the City. If you find that a machine is not working properly or in any way appears unsafe, please notify your Supervisor immediately so that repairs or adjustments can be made. Under no circumstances should you start or operate a machine you deem unsafe, nor should you adjust or modify the safeguards provided. Abuse of City equipment or City vehicles will not be tolerated. Abuse may result in reprimands or termination.

4.165 References

In the event you leave the employ of the City we may be able to provide references to potential employers, depending upon the circumstances, your employment history, etc. However, you must first sign a “reference release” waiver, allowing us to release reference information beyond merely confirming that you worked at the City for a specific period of time and your position.

As an employee, do not under any circumstances respond to any requests for information regarding another employee; you should forward the request to the City Clerk for a response.

4.170 Reinstatement

See "Former Employees" in the "Employment" section for information on reinstatement.

4.175 Resignation

While we hope both you and the City will mutually benefit from your continued employment, we realize that it may become necessary for you to leave your job with the City. If you anticipate having to resign your position with the City, you are expected to notify your Supervisor, in writing, at least two (2) weeks in advance of the date that you must leave.

4.180 Restricted Areas

In the interest of safety and security, certain portions of City's facilities may be restricted to authorized personnel only. Such areas will either be clearly marked or request will be made known by Supervisors. City Buildings are “no smoking “ areas.

Note: See "Smoking" in this section for further information.

4.185 Return of City Property

Any City property issued to you, such as product samples, tools or uniforms, must be returned to the City at the time of your dismissal or resignation, or whenever your Supervisor or a member of management requests it. You are responsible to pay for any lost or damaged items. The value of any property issued and not returned may be deducted from your paycheck, and you may be required to sign a wage deduction authorization for this purpose.

4.190 Safety Rules

Safety is everybody's business. Safety is to be given primary importance in every aspect of planning and performing all City activities. We want to protect you against industrial injury and illness, as well as minimize the potential loss of production.

Please report all injuries (no matter how slight) to your Supervisor immediately, as well as anything that needs repair or is a safety hazard. Below are some general safety rules. Your Supervisor may post other safety procedures in your department or work area:

- Avoid overloading electrical outlets with too many appliances or machines.
- Use flammable items, such as cleaning fluids, with caution.
- Walk -- don't run.
- Use stairs one at a time.
- Report to your Supervisor if you or a co-worker becomes ill or is injured.
- Ask for assistance when lifting heavy objects or moving heavy furniture.
- Smoke only in designated smoking areas.
- Keep cabinet doors and file and desk drawers closed when not in use.
- Never empty an ashtray into a wastebasket or open receptacle.
- Sit firmly and squarely in chairs that roll or tilt.
- Wear or use appropriate safety equipment as required in your work.
- Avoid "horseplay" or practical jokes.
- Start work on any machine only after safety procedures and requirements have been explained (and you understand them).

- Use air hoses only for the use intended. Avoid blowing air at yourself or anyone else.
- Wear appropriate personal protective equipment, like shoes, hats, gloves, goggles, spats, hearing protectors, etc., in designated areas or when working on an operation which requires their use.
- Keep your work area clean and orderly, and the aisles clear.
- Stack materials only to safe heights.
- Watch out for the safety of fellow employees.
- Use the right tool for the job, and use it correctly.
- Wear gloves whenever handling castings, scrap, barrels, etc.
- Operate motorized equipment only if authorized by your immediate Supervisor. All operators must be licensed.
- Wear seat belts.

Remember, failure to adhere to these rules will be considered serious infractions of safety rules and can result in disciplinary actions.

4.195 Safety Rules When Operating Machines & Equipment

- Machine guards must be in place while machines are in operation.
- Loose clothing, jewelry or rings must be removed before operating machinery.
- You must have proper work shoes (boots).
- Your Supervisor will issue required personal protective equipment, except for prescription glasses and steel toe shoes, to you.

We will continue to provide a clean, safe and healthy place to work and we will provide the best equipment possible. You are expected to work safely, to observe all safety rules and to keep the premises clean and neat. Remember that carelessly endangering yourself or others can lead to disciplinary action, including possible dismissal.

4.200 Security

Maintaining the security of City buildings and vehicles is every employee's responsibility. Develop habits that insure security as a matter of course. For example:

- Always keep cash properly secured. If you are aware that cash is insecurely stored, immediately inform the person responsible.
- Know the location of all alarms and fire extinguishers, and familiarize yourself with the proper procedure for using them, should the need arise.
- When you leave City's premises make sure that all entrances are properly locked and secured.

4.205 Seniority

Many of your benefits, like vacations, are determined by seniority. Also, seniority is one of the factors recognized when making promotions. Therefore, seniority is very important to you as an employee.

You must complete a Probationary Period when you are hired. During this period, you carry no seniority rights. If you are retained after the Probationary Period, you will be credited with seniority. Your seniority will reflect your length of employment beginning on the date on which you began work (anniversary date).

4.210 Service Awards – Lapel Pins

Each year, the City honors its employees by presenting certificates of appreciation at an annual City function. Certificates will be given after you have completed one year of service.

Each year, the City honors its long-term employees by presenting service award lapel pins at an annual City function. Service awards will be given after you have completed five, ten, & twenty years of service. The awards are:

| | |
|-------------------|------------------------------|
| Sterling Silver | Five (5) Years of Service |
| Gold | Ten (10) Years of Service |
| Gold with Diamond | Twenty (20) Years of Service |

4.220 Smoking

There will be NO SMOKING in City Buildings, City Vehicles, or in citizens business, or residences.

Please don't smoke in areas where you are directly serving customers and where it may be offensive to your co-workers. If you smoke, there are a variety of places appropriate for you to enjoy a short break. Please be courteous and concerned about the needs of your fellow employees and others. The wishes and preferences of non-smokers will take precedence over those of employees who smoke. Please do not smoke in restricted areas designated by your Supervisor.

Please remember to conform to our customer's smoking policies when working at a customer's site.

City discourages its employees from smoking. Smoking is regarded as a poor health habit, which can detract from performance and is often offensive to co-workers and/or customers. While we cannot regulate employee conduct off the job or outside of work hours, we feel it is our responsibility to provide a workplace free of exposure to hazardous substances, and we have therefore established our facility and business as a smoke-free workplace. All employees are expected to abide by this policy while at work.

4.225 Substance Abuse

A. Policy. The City of Hollister is dedicated to providing safe, dependable and economical services to citizens of Hollister. The City of Hollister employees are the City's most valuable resource and it is the City's goal to provide a healthy, satisfying working environment, which promotes personal opportunities for growth. In meeting these goals it is the City's policy to:

1. Assure that employees are not impaired in their ability to perform assigned duties in a safe, productive and healthy manner;
2. Create a workplace environment free from the adverse affects of drug and alcohol substance abuse or misuse;
3. Prohibit the unlawful manufacture, distribution, dispensing, possession or use of controlled substances;
4. To encourage employees to seek professional assistance anytime personal problems, including alcohol or drug dependency, adversely affect their ability to perform their assigned duties.

B. Purpose. The purpose of this policy is to assure worker fitness for duty and to protect the employees and the public from the risks posed by the use of alcohol and prohibited drugs. This policy is intended to comply with all applicable Federal regulations governing workplace anti-drug programs. The Federal Transit Administration (FTA) of the U.S. Department of Transportation has enacted 49 CFR Part 653 and Part 654 that mandate urine drug testing and breathalyzer alcohol testing for safety-sensitive positions and prevents performance of safety-sensitive functions when there is a positive test results. The U.S. Department of Transportation (DOT) has also enacted 49 CFR Part 40 that sets standards for the collection and testing of urine and breath specimens. In addition, the DOT has enacted 49 CFR Part 29, "The Drug-Free Workplace Act of 1988" which requires the establishment of drug-free workplace polices and the reporting of certain drug-related offenses to the FTA. This policy incorporates those requirements for safety-sensitive employees and others when so noted.

C. Applicability.

1. This policy applies to all safety-sensitive and non-safety-sensitive employees, paid part-time employees and contractors when they are on City property or when performing any City related business. This policy applies to off-site lunch periods or breaks when an employee is scheduled to return to work. Visitors, vendors and contractor employees are governed by this policy while on City premises and will not be permitted to conduct business if found to be in violation of this policy.
2. Employees who perform safety-sensitive functions will be subject to random testing. A safety-sensitive function is any duty related to the safe operation of City owned or leased equipment including the operation, dispatch and maintenance of a revenue service vehicle (whether or not the vehicle is in revenue service) and any other employee who holds a

commercial driver's license. A list of safety-sensitive positions is set out in Subsection (H) of this Section.

D. Prohibited Substances. "Prohibited substances" addressed by this policy include the following:

1. Illegally used controlled substances or drugs. Any illegal drug or any substance identified in Schedules I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812) and as further defined by 21 CFR 1300.11 through 1300.15. This includes, but is not limited to, marijuana, amphetamines, opiates, phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration. Illegal use includes use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs.

2. Legal drugs.

a. The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skill or judgment may be adversely affected must be reported to supervisory personnel and medical advice should be sought, as appropriate, before performing work-related duties.

b. A legally prescribed drug means that individual has a prescription or other written approval from a physician for the use of a drug in the course of medical treatment. It must include the patient's name, the name of the substance, quantity/amount to be taken, and the period of authorization. The misuse or abuse of legal drugs while performing City business is prohibited.

3. Alcohol. The use of beverages containing alcohol or substances including any medication such that alcohol is present in the body while performing City business is prohibited. The concentration of alcohol is expressed in terms of grams of alcohol per two hundred ten (210) liters of breath as measured by an evidential breath-testing device.

E. Intoxication/Under The Influence. Any safety-sensitive or non-safety-sensitive employee who is reasonably suspected of being intoxicated, impaired, under the influence of a prohibited substance, or not fit for duty shall be suspended from job duties pending an investigation and verification of condition. Employees found to be under the influence of prohibited substances or who fail to pass a drug or alcohol test shall be removed from duty and terminated immediately. A drug or alcohol test is considered positive if the individual is found to have a quantifiable presence of a prohibited substance in the body above the minimum thresholds defined in 40 CFR Part 40.

1. Alcohol & drug use. No employee should report for duty or remain on duty when his/her ability to perform assigned functions is adversely affected by alcohol or drugs or when his/her blood alcohol concentration is 0.04 or greater. No employee shall use alcohol or drugs while on duty or while performing safety-sensitive functions. No employee shall use alcohol or drugs

during the hours they are on call. Violation of these provisions is prohibited and punishable by immediate termination.

2. Notifying the City of criminal drug conviction. Any employee who fails to immediately notify the City of any criminal drug and or alcohol statute conviction shall be subject to immediate dismissal.

3. Proper application of the policy. The City of Hollister is dedicated to assuring fair and equitable application of this substance abuse policy. Therefore, supervisors/managers are required to use and apply all aspects of this policy in an unbiased and impartial manner. Any supervisor/manager who knowingly disregards the policy in regard to subordinates shall be subject to immediate termination.

F. Testing For Prohibited Substances.

1. Analytical urine drug testing and breath testing for alcohol may be conducted when circumstance warrants or as required by Federal regulations. All employees shall be subject to testing prior to employment, for reasonable suspicions, and following an accident. Those employees who perform safety-sensitive functions as defined in Subsection (H) of this Section shall also be subject to testing on a random, unannounced basis. Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities, which have been approved by the U.S. Department of Health and Human Services (DHHS). All testing will be conducted consistent with the procedure put forth in 49 CFR Part 40.

2. The drugs that will be tested for include marijuana, cocaine, opiates, amphetamines and phencyclidine. An initial drug screen will be conducted on each specimen. For those specimens that are not negative, a confirmatory Gas Chromatography/Mass Spectrometry (GC/MS) test will be performed. The test will be considered positive if the amounts present are above the minimum thresholds established in 49 CFR Part 40.

3. Test for alcohol concentration will be conducted utilizing a National Highway Traffic Safety Administration (NHTSA)-approved evidential breath-testing device (EBT) operated by a trained breath alcohol technician (BAT). If the initial test indicates an alcohol concentration of 0.02 or greater, a second (2nd) test will be performed to confirm the results of the initial test. An employee who has a confirmed alcohol concentration of 0.02 but less than 0.04 will result in removal from his/her position. An alcohol concentration of 0.04 or greater will be considered a positive alcohol test and in violation of this policy.

4. Any employee who has a confirmed positive drug or alcohol test will be terminated from his/her position, informed of educational and rehabilitation programs available, and evaluated by a substance abuse professional (SAP). A positive drug and/or alcohol test will also result in termination.

5. The City strives to protect individual dignity, privacy and confidentiality throughout the testing process.

a. Pre-placement testing. All applicants shall undergo urine drug testing and breath alcohol testing prior to employment. Receipt by the City of satisfactory test results is required before they are placed on the active payroll and report for duty. Failure of a drug and alcohol test will disqualify an applicant for employment. Evidence of the absence of drug or alcohol dependency from a substance abuse professional and negative drug and alcohol test will be required prior to further consideration for employment.

(1) Department Supervisors are to notify the Administrative Assistant of the name, social security number and birth date of the candidate.

Then, the employee candidate is to call the St. John's Clinic at 336-4355/ located at 290 Clift Court (behind Lowe's) to schedule their pre-employment screening. (This is part of the new HIPA privacy rules) They are to notify the department supervisor of the date and time of the screening.

From this point forward ... no one, the candidate nor the department supervisor, is to make contact with St. John's Medical Clinic. If the candidate has questions about his/her future employment they are to contact the department supervisor, not anyone at City Hall.

(3) St. John's Clinic will notify the Administrative Assistant of the final test results. We will in turn notify the supervisor of the results.

(4) After the drug screening notification, the supervisor can then make the decision as to hire or not to hire.

b. Reasonable suspicion testing. All employees may be subject to a fitness for duty evaluation, to include appropriate urine and/or breath testing when there are reasons to believe that drug or alcohol use is adversely affecting job performance. A reasonable suspicion referral for testing will be made on the basis of documented objective facts and circumstances, which are consistent with the long-term or short-term, effects of substance abuse. Examples of reasonable suspicion include, but are not limited to, the following:

(1) Adequate documentation of unsatisfactory work performance or on-the-job behavior.

(2) Physical signs and symptoms consistent with prohibited substance use.

(3) Evidence of the manufacture, distribution, dispensing, possession or use of controlled substances, drugs, alcohol, or other prohibited substances.

(4) Occurrence of a serious or potentially serious accident that may have been caused by human error.

(5) Fights (to mean physical contact), assaults, and flagrant disregard or violations of established safety, security, or other operating procedures.

A supervisor who is trained to detect the signs will make reasonable suspicion determinations and symptoms of drug and alcohol use and who reasonably concludes that an employee may be

adversely affected or impaired in his/her work performance due to prohibited substance abuse or misuse.

c. Post-accident testing. Employees will be required to undergo urine and/or breath testing if they are involved in an accident with a vehicle (regardless of whether or not the vehicle is in revenue service) that result in a fatality. This includes all employees that are on-duty in the vehicles and any other whose performance could have contributed to the accident. In addition, a post-accident test will be conducted if an accident results in injuries requiring transportation to a medical treatment facility; or one (1) or more vehicles incurs disabling damage that requires towing from the site; and the employee receives a citation under State or local law for a moving traffic violation arising from the accident. Following an accident, the employee will be tested as soon as possible but not to exceed eight (8) hours for alcohol testing and thirty-two (32) hours for drug testing. Any employee involved in an accident must refrain from alcohol use for eight (8) hours following the accident or until he/she undergoes a post-accident alcohol test. Any employee who leaves the scene of the accident without appropriate authorization prior to submission to drug and alcohol testing will be considered to have refused the test and their employment terminated. Employees tested under this provision will include all employees whose performance could have contributed to the accident.

d. Random testing. All employees in safety sensitive positions will be subjected to random, unannounced testing.

e. Employee requested testing. Any employee who questions the results of a required drug test under subparagraphs (a) through (d) of Subsection (F)(5) of this policy may request that an additional test be conducted. This test must be conducted at a different testing DHHS-certified laboratory. The test must be conducted on the split sample that was provided at the same time as the original sample. The employee pays all costs for such testing unless the second (2nd) test invalidates the original test. The method of collecting, storing and testing the split sample will be consistent with the procedures set forth in 49 CFR Part 40. The employee's request for a retest must be made to the MRO within seventy-two (72) hours of notice of the initial test result. Requests after seventy-two (72) hours will only be accepted if the delay was due to documentable facts that were beyond the control of the employee.

G. System Contact. Any questions regarding this policy or any other aspect of the drug-free and alcohol-free program should contact the following representative:

Title: City of Hollister Administrator
Address: P.O. Box 638, Hollister, MO 65673 417-335-5327

H. Safety Sensitive Functions.

1. Equipment operators regardless of size of equipment.
2. All public works (water, sewer & streets) and park personnel.
3. Chief of Police and all Policemen regardless of rank.
4. All sewer treatment plant personnel.

4.230 Supervisors

Your immediate Supervisor is the person on the management team who is closest to you and your work. Your day-to-day contact with your Supervisor gives you a chance to receive guidance and counsel regarding your assignments and the progress you make on your job. Your Supervisor can show you how your work fits into the overall picture, teach you how to do things, explain the "hows" and "whys," and encourage you when things look a little tough.

Your Supervisor is in complete charge of the department. They are responsible for the efficient operation of the department. Your Supervisor has authority to assign work, recommend hiring, dismissal, pay increases, transfers or promotions, and to maintain order and discipline. The Supervisor may accomplish this personally or through their assistant.

Remember, your Supervisor knows most of the answers, and, if not, knows where to get them. Your Supervisor probably started in a job much like yours and can guide and help you. Your Supervisor wants you to succeed. Please get to know your Supervisor, and when you need help or have questions, complaints, problems or suggestions, contact your Supervisor first. They are interested in your success, the success of every member of your department, and the overall success of the City.

Your Supervisor is human, has many responsibilities, and needs your cooperation, assistance, and loyalty. They want to help you - that's their job - so please ask, and please be willing to meet your Supervisor half way. If they cannot help you or answer your question, your question will be referred to someone who can. You can expect to be treated fairly and with respect. Like the City, your Supervisor has a direct interest in you. Go to your Supervisor for information about your job, your pay, or other matters of City policy.

Feel free to ask for clarification of regulations or responsibilities. Any problem that hinders the efficient completion of your responsibilities should be taken up with your Supervisor.

4.235 Suggestions

We encourage all employees to bring forward their suggestions and good ideas about how our City can be made a better place to work, our products improved, and our service to customers enhanced. When you see an opportunity for improvement, please talk it over with your immediate Supervisor. They can help you bring your idea to the attention of the people in the City who will be responsible for possibly implementing your idea.

4.240 Theft

Internal theft is a serious problem for the City. Although taking small items of City property may seem inconsequential, the cumulative effect can be very large. Stealing from the City is like stealing from yourself. Losses from theft immediately affect our ability to increase salaries and can jeopardize the profitability of the City.

The City will not tolerate property theft of any type. We consider property theft to be the unauthorized use of City services or facilities or the taking of any City property for personal use.

The following list of examples is not all-inclusive, but provides illustrations of several activities, which are unacceptable.

- 1. Use of City copy machines for personal use.** Once in a while the City will allow an employee to make a personal copy of a document. If an employee needs to make several copies they need to follow the established procedure for reimbursement to the City. (For example copies of a newsletter for another organization, copying a book, etc)
- 2. Use of computers.** City's personal computers (the personal computers in the office, or laptops made available for work away from the office) are to be used exclusively for business purposes unless you receive permission from your Supervisor. Permission may be given for the use of personal computers during non-business hours so long as employees supply their own supplies (paper, diskettes, etc.)
- 3. Taking of City property.** No item purchased or supplied by the City should ever be removed from the City premises without express authorization of your immediate Supervisor and the proper paper work associated with the situation. This rule applies to all City property including raw materials used in manufacturing plants, mechanics' tools, computers, and even pens and paper. All employees may be subject to random searches as they leave City facilities.

4.245 Traffic Violations

If you are authorized to operate a City vehicle in the course of your assigned work, or if you operate your own vehicle in performing your job, you will be considered completely responsible for any accidents, fines or traffic violations incurred. Your Supervisor will advise you on what to say and do (and what not to say and do) in the event of a vehicular accident. Certain job descriptions require the employee to maintain a CDL license or driver's license in the course of his employment. Termination of an employee's driver's license by the Department of Revenue may result in disciplinary action.

4.250 Uniforms

We provide uniforms, which certain employees must wear while at work. Upon termination of employment, the uniforms must be returned or the cost will be deducted from your final paycheck.

1. The City shall furnish probationary officers of the Police Department one (1) set of BDU'S (Battle Dress Uniforms) consisting of two (2) pair of pants, two (2) shirts and one (1) bullet proof vest. Upon completion of the probationary period the City shall furnish officers of the Police Department one (1) set of uniforms consisting of three (3) pair of pants, three (3) short sleeve shirts, three (3) long sleeve shirts and one (1) winter coat.
2. The City shall furnish employees of the Public Works Department, WWTP Department, Park Department and Building Department rental uniforms consisting of pants and shirts and two (2) jackets.

3. Replacement of all of the above uniforms shall be made as needed, by the City. It is required that all employees, furnished with City uniforms or Police uniforms shall wear them while in the service of the City. Upon ceasing employment with the City, all uniforms shall be returned to the City.

4. Employees of the Police, WWTP, Building & Planning, Public Works, and Parks Department will be allowed the option to purchase work essential and safety apparel through the uniform company at their own expense. There will be no discounts. Prior approval from the Supervisor for payroll deduction is required. The Supervisor will take the cost details to the Finance Office who will in turn determine the dollar amount to be taken out per pay period; not to exceed six (6) payroll periods. Each purchase must be paid in full, before another purchase can be made. Once approval to purchase has been given, an order can be placed through the local uniform company driver. Returns and exchanges are the purchaser's responsibility.

4.255 Use of City Vehicles

If you are authorized to use a City vehicle for City business, you must adhere to the following rules:

1. You must be an appropriately licensed driver.
2. You must maintain weekly pre-trip vehicle logs.
3. You are responsible for following all the manufacturer's recommended maintenance schedules to maintain valid warranties, and for following the manufacturer's recommended oil change schedule.
4. You are responsible for paying any moving violation tickets. Also, please park appropriately -- City will not pay parking violations.
5. You must keep the vehicle clean at all times, and washed and vacuumed as often as necessary.
6. You must not allow persons not authorized or employed by the City to operate or ride in a City vehicle.
7. Prior to operation of any City vehicle, your Supervisor will train you on the appropriate steps to take if you are involved in an accident -- filling out the accident report, getting names of witnesses, etc.

4.260 Visitors

Our insurance coverage and good common sense prohibits unescorted visitors in our facilities. Visitors are not permitted on City property without prior permission from your Supervisor; no

visitors are permitted in working areas. If you are expecting visitors, please request permission from your Supervisor and ask your visitors to see your Supervisor when they arrive.

4.265 Violations of Policies

You are expected to abide by the policies in this Employee Manual. Failure to do so will lead to appropriate disciplinary action. A written record of all policy violations will be maintained in each individual's personnel file.

A partial list of causes for possible disciplinary action ("Unacceptable Activities") is presented under "Standards of Conduct" in the "Employment" section of this Manual. This list is not to be considered all-inclusive.

4.270 Weapons

Employees shall not carry any type of weapon to work, unless required as a part of law enforcement duties for the City.