

*Employee Handbook
of
Personnel Policies*



City of Harrah

Heart of the Heartland

CITY OF HARRAH

***Approved by the City Council
June 17, 2019***

EMPLOYEE ACKNOWLEDGMENT FORM

The undersigned acknowledges that he/she has received and has reviewed a copy of the Employee Handbook of Personnel Policies of the City of Harrah/Harrah Public Works Authority.

I understand that I am governed by the contents of the Handbook and that it is my responsibility to familiarize myself with the personnel policies of the City. **I acknowledge and agree that nothing contained in the Handbook creates a contract of employment with the City of Harrah, that I am deemed to be an employee at will and that the policies and procedures contained in the Handbook do not give rise to a property right in continued employment.** I recognize and agree that no individual is authorized to alter or modify the terms and conditions of employment without authorization of the City Council. I further understand that this Handbook supersedes any prior versions and that the City of Harrah retains the right to revoke, change or amend any of the policies and procedures in the Handbook at any time, with or without prior notice.

I have read or have had read to me the above statement, understand its meaning and agree to comply with the same.

Applicant/Employee

Date

Witness

TABLE OF CONTENTS

SECTION 100 INTRODUCTION

101- Purpose	2
102- Scope	2
103- Exclusions	2
104- General Information	2

SECTION 200 EMPLOYMENT PRACTICES

201- Equal Employment /Non-Discrimination Policy	4
202- Professional Conduct and Anti-Harassment Policy	4
203- Americans with Disabilities Act	7
204- Alcohol and Controlled Substance Policy and Testing Procedures	7
205- Nepotism	7
206- Hiring Procedures	7
207- Definition of Employees	10

SECTION 300 PAY ADMINISTRATION

301- Position Classification & Pay Plan and Job Descriptions	11
302- Pay Period	11
303- Clothing Allowance	12

SECTION 400 EMPLOYEE BENEFITS

401- Group Insurance	12
402- Holidays	12
403- Vacation Leave	13
404- Family Medical Leave Act	14
405- Illness and Injury/Sick Leave	14
406- On the Job Injuries	15
407- Retirement	16
408- Allowances	16
409- Other Leave Provisions	18
410- Community Service Program	19
411- Educational Incentives	20

SECTION 500 HOURS OF WORK AND ATTENDANCE

501- Work Period	21
------------------	----

502- Overtime	21
503- Lunch Period	21
504- Schedules	21
505- Absenteeism	21
506- Tardiness	22
507- Recording of Time Worked	22
508-Compensationfor“Call-Back”Personnel	22

SECTION 600 IN-SERVICE PROVISIONS

601- Training and Safety	22
602- Tuition Assistance	22
603- Promotion	24
604- Transfer	25
605- Demotion/Reassignment	25
606- Performance Evaluation	25
607- Employee Incentive Program	26
608- Disciplinary Action	27
609- Resignation	30
610- Layoff	31
611- Retirement	31
612-Disability	31
613- Death of an Employee	31
614- Separation for any Reason	31
615- Grievance Procedure	31
616- Use of City Property	32
617- Vehicle Operation and Maintenance Policy	33

APPENDIX A: Complaint Form	35
-----------------------------------	-----------

APPENDIX B: Supervisory By-Pass Procedure	36
--	-----------

APPENDIX C: Alcohol and Controlled Substance Policy and Testing Procedures	38
---	-----------

APPENDIX D: Pay Plan	42
-----------------------------	-----------

APPENDIX E: Family Medical Leave Act Policy	44
--	-----------

APPENDIX F: Travel Form	49
--------------------------------	-----------

APPENDIX G: Accident Reporting Form	50
--	-----------

WELCOME

TO ALL EMPLOYEES OF THE CITY OF HARRAH

The City Administration welcomes you to the organization and encourages you to read and become familiar with the contents of this Employee Handbook. You will find that it contains helpful and valuable information about the policies, rules, regulations, benefits, procedures and opportunities available to you as an employee of the City. It is also intended to be a guide in assisting you in performing your duties and responsibilities for the City to the best of your ability and in aiding you in developing and realizing your potential as a valued employee.

The policies in this Handbook are designed to serve as guidelines. They are not intended to and do not create any kind of contractual relationship and are subject to change at the discretion of the City Council, with or without notice. While the policies and procedures outlined in this Handbook should provide you with answers to most general questions you might have regarding your employment relationship with the City, it cannot cover every situation that might arise. If you have questions about these guidelines, or require further information, you should consult with your Department Head, with the City Manager or with the Human Resources Director. The City welcomes your suggestions for improvement either to the policies and procedures included in this Handbook or to other job related areas and subjects.

Please read this Handbook carefully and retain it for future reference. It is important that you familiarize yourself with the contents of the Handbook as soon as possible. A well-informed employee has the best potential for succeeding in his/her or her assigned position.

The City welcomes you and wishes you success.

SECTION 100 INTRODUCTION

101 - PURPOSE

The purpose of this Handbook is to provide a working guide to the personnel policies, practices and benefits of employment with the City of Harrah. **The Handbook is not a legal document, does not constitute a contract of employment and does not give rise to a property right in continued employment with the City. The employment relationship with the City is terminable at will at any time with or without cause.** The City Council retains the right to revoke, modify, change or amend any of the policies and procedures at any time. Any employee who has a question regarding any of the policies and procedures contained in the Handbook is encouraged to direct any inquiries to their Department Head, the Human Resources Director or the City Manager.

102 - SCOPE

Except as set forth below, this handbook applies to all employees of the City of Harrah and the Harrah Public Works Authority. The provisions of the City Charter and City Ordinances will supersede any conflicting provisions contained herein.

103 - EXCLUSIONS

The provisions of this Handbook will not apply to members of the City Council, persons appointed to Boards and Commissions, the City Attorney, Municipal Judge and independent contractors. Furthermore, to the extent any provision of a collective bargaining or other agreement to which the City is a party, conflict with a provision of this Handbook, the provision of the agreement shall prevail.

104 - GENERAL INFORMATION

- A. Personnel Records - An employee has the right to review his/her personnel file during regular business hours only and only in the presence of the Human Resources Director or City Manager. No item may be removed from an employee's personnel file without the written authorization of the Human Resources Director with the concurrence of the City Manager.

- B. Change of Address and/or Telephone Number - Employees are required within five (5) business days to report any change of address and/or telephone number to the Human Resources Director.
- C. Secondary Employment - Employment with the City of Harrah is the primary employment for each full-time person. Secondary employment may be permissible provided it does not interfere, in any manner, with an employee's ability to perform assigned duties as a City employee or to timely respond when called back to assist with unexpected circumstances and/or emergencies. City employees may not be engaged in secondary employment at any time while scheduled to work for the City and may not use any City property in the performance of such employment. An employee must obtain written approval of the Department Head for secondary employment, which approval will not be unreasonably withheld.
- D. Use of City Vehicles - Employees with City vehicles may use them for breaks and lunch hours but must stay within City limits. Employees may not use City vehicles and equipment for personal reasons or personal business. See Section 610.
- E. Financial Interest - An employee may have no financial interest in any contract, service or other work performed by or for the City. Employees shall neither solicit nor accept money, free or preferred service, benefits, or consideration from any person, business or organization in return for special interests or favors. An employee having any questions concerning what is encompassed within this section should direct such questions to the Department Head, City Manager or Human Resources Director.
- F. Political Activity - Employees may attend and express their views and opinions at City Council meetings or any other public meetings as a citizen only and not when on duty or in uniform. Employees may participate in political activity; provided, the political activity shall occur only during off-duty hours, while not in uniform, while not on City property and while not using any City property. No employee will be forced, threatened, intimidated or coerced into campaigning, making a financial contribution to or obligating him/herself to contribute labor in support of any candidate for office.
- G. News Release - Employees are to respect the confidentiality of City business. Any news releases to the press or other media concerning City business shall be given only by persons designated by the City Manager.
- H. Solicitations and Collections - During working hours, employees may only solicit contributions, subscriptions, sell tickets, or collect donations for pre-approved charitable causes. Prior approval by the City Manager is required.
- I. Use of Telephone - The use of City telephones for personal calls is to be kept to a minimum. When it is necessary to make or receive personal calls during working hours,

they are to be kept as brief as possible. Abuse of telephone privileges for personal calls may result in disciplinary action.

- J. Public Relations - Employees of the City are in a position of public trust and, as such, must be courteous and helpful, accepting their responsibilities as public servants, and be attentive to citizens who seek assistance, information, or desire to register a complaint. Employees are to keep in mind that their primary obligation is to render impartial, efficient, and effective service to the public in the discharge of their duties.
- K. Tobacco Policy - The City is committed to providing a healthy and safe working environment. In keeping with this commitment and state law, tobacco use or vaping is not permitted in City Buildings or within twenty-five (25) feet of the entrance or exit of any building or in City Vehicles. (Refer to City of Harrah Ordinance 2019-4)

SECTION 200 EMPLOYMENT PRACTICES

201 - EQUAL EMPLOYMENT OPPORTUNITY/NON-DISCRIMINATION POLICY

The City of Harrah is committed to providing equal opportunity to all employees and applicants for employment. There shall be no discrimination against any employee or applicant on the basis of race, color, creed, religion, national origin, age, sex, disability or veteran's status. This commitment extends to every aspect of employment, including recruitment, selection, placement, training, compensation, promotion, transfer, layoff, recall and disciplinary action.

The City Manager and the Human Resources Director have been assigned the responsibility of ensuring that all phases of personnel administration are in harmony with this policy. The responsibility for administering this policy is delegated to Department Heads and Supervisors.

202 - PROFESSIONAL CONDUCT AND ANTI-HARASSMENT POLICY

The City of Harrah desires to have a professional and congenial work environment and will take reasonable steps to insure that the work environment is pleasant for all who work here. All employees are expected to treat others with courtesy, consideration and professionalism. The City of Harrah will not tolerate the harassment of any employee or citizens by any other employee, supervisor, citizen or vendor. Employees may not use epithets, slurs or other terms or language designed to threaten, insult, intimidate or show hostility to another. Employees are prohibited from posting or circulating in the workplace any written or graphic materials or other objects that attack, defame, belittle, degrade or show hostility or aversion to any person or group of people. In an effort to avoid even the appearance of impropriety, this policy is more stringent

than certain state and federal laws. Consequently, an employee may be found to have violated this policy even though his/her conduct would not give rise to a violation of state or federal law.

Harassment for any discriminatory reason, such as race, gender, national origin, disability, age, religion or veteran status is prohibited not only by State and Federal laws but also by the policies of the City. The City of Harrah prohibits not only unlawful harassment but other types of unprofessional and discourteous conduct. Accordingly, derogatory, racial, ethnic, religious, age, gender, sexual orientation, sexual or other inappropriate remarks, slurs, "jokes," written material or actions will not be tolerated in the workplace.

Included in this prohibition is a prohibition against sexual harassment, which includes unwelcome sexual advances, requests for sexual favors, or any other visual, verbal or physical conduct of a sexual nature when:

1. Submission to the conduct is made either implicitly or explicitly a condition of the individual's employment;
2. Submission to or rejection of the conduct is used as a basis for an employment decision affecting the harassed employee; or
3. The harassment has the purpose or effect of unreasonably interfering with the employee's work performance or of creating an environment, which is intimidating, hostile or offensive to the employee.

Each employee must exercise his/her own good judgment to avoid engaging in conduct that may be perceived by others as harassment. Forms of harassment include, but are not limited to:

1. Verbal: Sexual innuendos, racial or sexual epithets, derogatory slurs, off-color jokes, propositions, threats or suggestive or insulting sounds;
2. Visual/Non-Verbal: Derogatory posters, cartoons, telefaxes, e-mail, texting, internet contacts, drawings, suggestive objects or pictures, graphic commentaries, leering or obscene gestures;
3. Physical: Unwanted physical contact including touching, interference with the individual's normal work movements or threatening gestures; and
4. Other: Making or threatening reprisals as a result of a negative response to a harassing action.

Any employee or applicant who feels that he or she has been subjected to harassment or otherwise has been discriminated against due to his/her or her race, color, religion, national origin, gender, sexual orientation, age, disability or veteran status, or who witnesses harassment of or

discrimination against another employee, should promptly report the incident to the City Manager or Human Resource Director. A complaint form is attached as Appendix "A" to the Handbook.

All complaints of harassment or discrimination will be investigated. In determining whether alleged conduct constitutes harassment or discrimination, the totality of the circumstances, the nature of the harassment and the context in which the alleged incidents occurred will be considered. Except as deemed necessary to investigate and remedy violations, management will keep any complaint and the information revealed in the investigation as confidential as possible.

All employees are strongly encouraged to use the complaint procedures set forth herein if they believe they have been subjected to discrimination or harassment. Before it becomes a serious problem and the conduct interferes with an individual's work performance or creates a hostile environment, employees are encouraged to notify management of conduct that may violate this policy. That will allow management time to address the situation. If the employee believes that a supervisor or management employee has engaged in harassment, the employee is encouraged to use the supervisory by-pass procedure attached as Appendix "B" to the Handbook.

The initiation of a complaint, in good faith, will not be grounds for discipline. It is a violation of the City's policy for an individual to be disciplined or otherwise disadvantaged as a result of a good faith resort to this complaint procedure. However, deliberately reporting false allegations may be considered as a form of harassment and may subject an employee to appropriate discipline.

If a person is determined to have violated this policy, the City will take appropriate action designed to prevent any further incidents of inappropriate behavior. If necessary, this could include disciplinary action up to and including termination. In addition, management and supervisory employees may face disciplinary action if they fail to take corrective action after becoming aware of the existence of harassment or discrimination, regardless of whether the victim has filed a formal complaint.

203 - THE AMERICANS WITH DISABILITIES ACT (ADA)

The City will take all reasonable steps to ensure that interview, hiring and employment practices do not conflict with the provisions of the Americans with Disabilities Act. The City will provide reasonable accommodation to a person with a disclosed disability in terms of application, hiring and job retention so long as such accommodation does not result in an undue hardship. It is the responsibility of every employee to comply with the provisions of the ADA and to create a positive work environment.

204 - ALCOHOL AND CONTROLLED SUBSTANCES POLICY AND TESTING PROCEDURES

The City requires a commitment from all employees to keep an alcohol and drug-free workplace. As a condition of employment, employees must abide by the terms of this policy. The unlawful manufacture, distribution, possession or use of an illegal substance or the use or possession of alcohol is prohibited anywhere in the workplace or on City property.

Use of a controlled substance is not prohibited when prescribed by an authorized medical practitioner for treatment and when used as directed. In these circumstances, employees are to inform their supervisors that they are taking medicines, which may result in side effects.

As a condition of employment, an employee must notify the Human Resources Director of any criminal drug statute conviction no later than five (5) days after such conviction. Criminal drug statute means a criminal statute involving manufacture, distribution, dispensation, use or possession of a controlled substance. Upon conviction of any such violation, the City will take appropriate disciplinary action against the employee, up to and including termination, and/or requiring the employee to satisfactorily participate in an abuse rehabilitation program.

A copy of the City of Harrah's complete Alcohol and Controlled Substances Policy and Testing Procedures applicable to employees and applicants covered by this Handbook is attached as Appendix "C" to the Handbook.

205 - NEPOTISM

Neither the City Manager, the City Council nor any other authority of the City government may appoint or elect any person related to the City Manager, any Council member or in the case of a plural authority, to one of its members, by affinity or consanguinity within the third degree, to any office or position of profit in the City Government. However, this shall not prohibit an officer or employee from continuing in the service of the City. This includes any spouse, child, brother, sister, parent, uncle, aunt, niece, nephew or cousin. In addition, it is the policy of the City not to employ persons related to one another within the third degree in the same department or in positions where one person might be in a supervisory position to a relative.

206 - HIRING PROCEDURE

Initial employment with the City will be based on merit (an applicant's qualifications, skills, aptitude, previous experience and education as they relate to the essential functions of a particular position) and fitness.

- A. Request to Fill Vacancy - The Department Head will notify the City Manager and the Human Resources Director in writing of a position vacancy. All job vacancies at any level will be advertised internally and will be advertised externally as deemed appropriate on a case-by-case basis. Internal announcements will be distributed to each department for posting on bulletin boards.

- B. Eligibility for Hire - Any person will be deemed eligible for initial employment in the City service who:
 - 01. Meets the minimum requirements established for the position;
 - 02. Is able to perform the essential functions of the position with or without reasonable accommodation;
 - 03. Has not been convicted of or pled guilty to a felony or to a misdemeanor which would indicate that the person is not fit for City employment;
 - 04. Does not have a record of previous unsatisfactory service in City employment or elsewhere of such a nature as to demonstrate unsuitability for employment in the position for which he/she has applied;
 - 05. Is otherwise qualified under the personnel policies.

- C. Filling vacancies - When a vacancy occurs in a position that is eligible to be filled, the following procedures will be used, unless, for the good of the service, the City Manager approves an exception to the screening process.
 - 01. City Employees: City employees meeting the City's requirements may be given preference in filling vacancies. However, the City reserves the right to hire externally if it is deemed to be in the best interest of the City.
 - 02. Application: All applications for employment will be filed on forms provided by the City. Current employees may submit a letter of interest in lieu of a new application, which will bring their applications up-to-date in order to make application for promotions or transfers.
 - 03. Use of Commercial or State Employment Agencies: Applications may be accepted from commercial employment agencies or from the State Employment Services. The applicant will be required to complete the City's application form and go through the same testing requirements.
 - 04. Interviews and Screening: The Department Head, with the assistance of the Human Resources Director, will screen job applications to ensure the applicants have the

minimum qualifications of the position, that the responses are correct, and that references are indicative of a proper employment history. Employee's work histories may also be reviewed.

05. Competitive Examinations: Competitive examinations may be given if deemed necessary. They may be oral, written, physical agility, skills, rating of experience and training, psychological, polygraph or any combination thereof.
 06. Interviews: Job interviews will be conducted by the Supervisor/Department Head and the Human Resources Director. In addition, the City Manager may sit in on the interview and/or assign someone to participate in the interview process, such as on an interview panel. On completion of interviews, the Supervisor/Department Head shall submit his/her recommendation to the City Manager.
- D. Disqualification from Consideration - Fraud, misrepresentation, concealment, or dishonesty on any part of the application form or resumé, the examination process or any attempt to obtain special consideration will disqualify an applicant for employment. Further, an applicant will be disqualified if he tests positive on the post-offer drug and alcohol screening.
 - E. Post Offer Medical Examinations. Post offer pre-employment physicals and drug/alcohol screening may be required for applicants to be hired for a full time position. Certain temporary positions may also require physicals.
 - F. Final hiring decisions for positions will be made by the City Manager.

207 - DEFINITION OF EMPLOYEES

- A. Introductory - An individual will be deemed to be in an introductory status for twelve (12) months from the date of initial employment. An introductory employee shall have no grievance rights or rights to a hearing before the Personnel Review Board. See section 607.
- B. Regular/Full Time - An employee who has satisfactorily completed an introductory period. Completion of the introductory period does not confer on any employee any status other than employment at will.
- C. Temporary/Part Time - Anyone employed for seasonal work or for a specific period of time or regularly for no more than twenty-nine (29) hours per week worked is considered temporary/part time. A temporary/part time employee is entitled to Workers' Compensation, Social Security benefits, and the Employee Incentive Program, but is not eligible for any other City benefits.

- D. Non-exempt - Employees who are not exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA) as amended are paid by the hour and are entitled to compensatory time off at the rate of one and one-half (1-1/2) times their regular hourly rate for all overtime hours worked.
- E. Exempt - Employees who are exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA) as amended are considered executive, administrative, and professional employees. As a result of the additional hours worked, the City Manager may approve, from time to time, additional leave that is not charged to vacation or sick leave.

**SECTION 300
PAY ADMINISTRATION**

301 - POSITION CLASSIFICATION & PAY PLAN AND JOB DESCRIPTIONS

The City of Harrah provides a position and pay plan for all budgeted, regular, full time positions. A copy of the Pay Plan is attached as Appendix “D.” This Pay Plan is subject to being amended, from time to time, at the discretion of the City Council. Job descriptions are provided to assist with screening applications, for job restructuring, for pay administration and performance appraisals. The position classifications and job descriptions will be reviewed and adjusted as needed to take into account changes in job structures or duties and the addition or deletion of classifications and functions within the City. Pay ranges may be adjusted to account for cost-of-living increases and re-evaluations of skills or duties within a classification.

302 - PAY PERIOD

Paychecks will be issued on the 15th and last day of the month, unless otherwise specified by the City Manager. Time will begin on Sunday and end on Saturday. Full-time employees are required to work 8 hours per day – forty hours per week unless otherwise specified by the Department Head or City Manager. Employees are required to submit their weekly timesheet to their Department Head no later than the following Monday. If a city observed holiday falls on payday, checks will be issued on the normal workday preceding the holiday. Prior written authorization must be received in the Human Resource Office before a paycheck will be released to anyone other than the employee or the Department Head. Direct Deposit is available to employees who provide the appropriate bank documentation to the Human Resource Office.

303 - Clothing Allowance

Members of the Fire Department and Reserve Police Officers will be provided with a clothing allowance in an amount to be determined by the City Council from time to time.

**SECTION 400
EMPLOYEE BENEFITS**

The City provides certain benefits for eligible employees. The City reserves the right to amend, suspend or terminate any of these benefits at its sole discretion. All statements contained herein are mere summaries of the plans. Details of certain plans are contained in individual plan summary booklets or documents. If any statement herein is in conflict with the official plan document, the official plan document will control.

401 - GROUP INSURANCE

The City provides for group health insurance coverage for full time employees and makes coverage available for their dependents. Coverage is available on the first day of the month following sixty (60) days of employment. The City will pay for the coverage for the employee. Subject to the decision of the City Council from time to time, the City may elect to contribute to the cost of dependent coverage. All employees electing dependent coverage will be responsible for the payment of all premiums not paid by the City for such coverage.

402 - HOLIDAYS

All employees are granted fourteen (14) paid holidays per calendar year as recognized by the City. The authorized holidays are as follows:

NEW YEAR’S DAY	January 1 st
MARTIN LUTHER KING.....	3 rd Monday in January
PRESIDENT’S DAY	3 rd Monday in February
GOOD FRIDAY.....	Friday before Easter
MEMORIAL DAY	Last Monday in May
INDEPENDENCE DAY	July 4 th
LABOR DAY	1 st Monday in September
COLUMBUS DAY.....	2 nd Monday in October
VETERAN’S DAY	November 11 th
THANKSGIVING DAY	4 th Thursday in November
DAY AFTER THANKSGIVING	4 th Friday in November

CHRISTMAS EVE	December 24th
CHRISTMAS DAY	December 25 th
FLOATING HOLIDAY.....	8 Hours/10 Hours

When a holiday occurs on Saturday, it shall be observed on the preceding Friday. When a holiday occurs on Sunday, the following Monday shall be observed. If an employee is required to work on an authorized holiday, the employee shall accrue Holiday leave hours equivalent to the normal work day and the accrued leave must be taken within the fiscal year. An employee on an authorized leave with pay on the day the holiday occurs shall be paid for the holiday rather than the authorized leave. In addition, the Mayor may designate other holidays at his/her discretion.

403 - VACATION LEAVE

Full time employees will be eligible to accrue annual leave which may be used for vacations, time off to attend to business and for personal reasons. Accrual of annual leave is computed from the anniversary date of employment. Annual leave accrues at the following rate:

0-5 years	<u>0-71 months</u>	7 hours per month	84 hours per year
6-10 years	<u>72-131 months</u>	8 hours per month	96 hours per year
11+ years	<u>132+ months</u>	10 hours per month	120 hours per year

Vacation leave will begin accruing the first day of employment, but is not available to be used within the first 6 months of employment, unless otherwise approved by the City Manager. Vacation leave is to be taken in the year in which it is accrued. However, employees may carry forward no more than one year of accrued vacation leave into the next fiscal year, unless approved by the City Manager, which will only occur if unused leave was unable to be scheduled before the end of the year due to circumstances outside of the employees' control.

At the beginning of each fiscal year, employees are to designate, to the extent possible, the times when they wish to use vacation leave during that fiscal year to allow Department Heads to plan work schedules and projects. Upon termination from employment, employees will be paid for accrued but unused vacation leave. Employees may take only the amount of leave time, which has been accrued. Under normal circumstances, unearned annual leave will not be advanced to employees.

All requests to use vacation leave must be approved in advance by the Supervisor/Department Head and scheduled so as not to unduly disrupt the efficient operations of the Department. It is the responsibility of the Supervisor/Department Head to ensure that the employee's vacation leave is scheduled within twelve (12) months of the employee's anniversary date of employment. Accrued vacation leave may be scheduled in increments of a minimum of two (2) hours but not

more than a maximum of eighty (80) hours. Requests for scheduling of vacation leave in excess of eighty (80) hours will require approval of the Department Head.

On June 1st or December 1st of each year, if funds are available and with approval by the City Manager, an employee who has accrued but unused vacation leave in excess of forty (40) hours may request that the City buy back vacation leave in increments of forty (40) hours. In addition, any employee who has accrued more than forty (40) hours of vacation leave may donate up to one-half of all accrued vacation leave to any other employee who has sustained a prolonged illness or injury and who has exhausted all of his/her own vacation and sick leave.

404 - FAMILY MEDICAL LEAVE ACT

The City of Harrah has adopted a Family Medical Leave Act policy for all eligible employees as defined by the Act. A copy of the policy is attached as Appendix “E” to the Handbook.

405 - ILLNESS AND INJURY/SICK LEAVE

Regular, full time employees shall accrue sick leave at the rate of eight (8) hours per month beginning the first day of employment, but is not available to be used within the first 6 months of employment. The maximum accrual shall be 800 hours. After an employee has a balance of 800 hours of accrued sick leave, the employee will not continue to accrue sick leave until the balance falls below 800 hours. Unused sick leave benefits shall not be payable to the employee upon termination of employment or resignation.

Sick leave may be used: 1) when employees are incapacitated by illness or injury; 2) for medical, dental, or optical diagnosis or treatment; 3) after exposure to a contagious disease when attendance at duty, in the opinion of the Department Head, would jeopardize the health of other employees; 4) illness of a member of the employee’s immediate family (defined Art. 409, paragraph G); or 5) in compliance with the City’s Family Medical Leave Act policy.

In cases of absences for a period of three (3) days or more, a physician’s report and the release for full duty must be received before the employee is allowed to return to work. A licensed physician’s statement is required to be submitted to Human Resource every consecutive thirty (30) day period of such absence containing the following information confirming the employee’s continued inability to perform his/her normal duties. The City reserves the right to require the returning employee to submit to a fitness for duty examination by a physician selected by the City, which examination will be paid for by the City. If all accrued sick leave, annual leave or compensatory time is exhausted, and the employee is unable to return to work, the employee may be granted “leave without pay” in accordance with the City’s FMLA policy. If the employee is still unable to return to work, he may be separated from employment. Such separation shall be

considered a resignation in good standing. Employees may take only the amount of sick leave earned. Sick leave shall not be used for annual leave.

01. Excessive sick leave usage or continued illness may be cause for an employee to be placed on "Physical Report Status." Further, the Supervisor/Department Head may require a physician's release at any time should an illness be in question or if the employee's performance is hindered because of illness. Any employee discovered abusing sick leave privileges will be subject to disciplinary action.
02. An employee out on sick leave will not be authorized to engage in any other secondary employment without the expressed written permission of the City Manager.
03. Any employee who has accrued a total of two hundred (200) hours or more of sick leave may donate up to but not to exceed one-half (1/2) of their total amount accrued to any employee who has sustained a prolonged injury or illness. Such donations will not be approved until the recipient has exhausted all of their own annual, Holiday or Sick Leave. Final approval must be granted in writing by the City Manager. No employee shall donate as much leave as to reduce their total accrued sick leave below one hundred (100) hours.

406 - ON THE JOB INJURIES

A. Reporting Injuries:

01. An employee shall report as soon as possible to his/her Supervisor, Department Head, or to the Human Resources Manager any on-the-job injury regardless of the extent of the injury. Without good cause, failure to report an injury immediately is a violation of City policy and the employee may be subject to disciplinary action.
02. The Supervisor/Department Head shall secure first aid and determine if the employee needs further medical attention. If any reasonable doubt exists, the employee should be examined by a medical doctor/medical facility selected by the City.
03. Injured employee will be treated by physician selected by the City.
04. The City Manager and the Human Resources Director must receive a full report of any injury, signed by the employee, if possible, and the immediate supervisor within three (3) working days. Employees will also be supplied with a copy of a

form to be completed by the attending physician/health care provider in order for payment to be made to the physician and/or hospital.

- B. Employees on injury leave must return to duty at the earliest practical date. Employees on injury leave may be required to submit documentation to the City Manager and the Human Resources Director. Employees returning to “light duty” or regular, non-restricted duty must submit a “Release to Work,” either citing the restrictions or stating that there are no restrictions from the attending or City’s physician to the Human Resources Director.
- C. Fitness for Duty Exam: An employee may be required to undergo a fitness for duty examination by the City’s physician to determine whether the employee is able to perform the essential functions of the position with or without accommodation. If an accommodation is not possible without an undue hardship to the City, the employee’s services may be separated.
- D. Nothing in this section shall be construed, deemed or interpreted as abridging or interfering with an employee’s rights under State workers’ compensation laws. , nor shall any provision of such laws abridge or interfere with the benefits provided under this section or the rights of the City reserved herein.
- E. Employees unable to work due to a job related injury are not authorized to work any secondary job for compensation without the approval of the City Manager.

407 - RETIREMENT

- A. Regular, full time employees are covered under a retirement plan(s). All employee contributions to the retirement systems are handled through payroll deduction. Participation in one of the plans is mandatory.
- B. Social Security - All employees are subject to Social Security FICA/Medicare deductions. City and employee contributions are made in accordance with the law.

408 - ALLOWANCES

- A. Travel - All trips out of town for City business and training must be approved in advance by the City Manager. Employees who are on approved assignment for the City shall be eligible for reimbursement for lodging, conference/seminar registration fees, meals, and transportation (personal vehicle) expenses. The reimbursement may be subject to being taxed based on the then existing Internal Revenue Service regulations. Employee may request advances for these allowances subject to management approval. The following criteria will be used to determine reimbursement:

01. Original receipts will be required for lodging and meals. Between meal snacks and drinks will not be reimbursed. The City will not pay for any alcoholic beverages.
02. A maximum of fifty dollars (\$50.00), including tips, per day will be allowed for meals. As noted, the reimbursement may be subject to being taxed. Further, an employee will not be eligible to be reimbursed for a meal if the meal is provided as part of the registration fee.
03. Mileage will be reimbursed according to the current Internal Revenue Service allowance when a personal vehicle is used. In the event that an employee has a City issued vehicle, that vehicle must be used unless the Department Head determines that it is in the best interest of the Department that the vehicle remain available for common use. If a commercial airline is used, economy fare must be used.
04. Charges for tolls and parking fees will be reimbursed, with an attached receipt.

Claims for reimbursement are to be made on the City's travel forms (see Appendix F) and individual receipts are required. An employee wishing to attend a conference, seminar or other meeting must submit a request, in writing, to the City Manager for approval along with an agenda and itemization of expected costs.

B. Credit For Hours Worked - Employees attending approved official City business at the request of the City shall be given credit for hours worked based upon the following criteria:

01. Credit for attendance will be based upon the starting time of the function and the ending time of the function, less meal periods or social hours.
02. Credit for hours of travel will be based on the total hours of travel from the point of departure and return to the point of departure, when the hours of travel require leaving and returning outside the normal workday. When travel time is scheduled, consideration will be given to provide for the safety of the employee in relation to the number of hours spent driving to and returning from the official City assignment.
03. For official assignments that last more than one (1) day, the travel time outside the normal workday is figured from the point of departure on the first day and return to point of departure on the completion day.

04. Out of state functions will be considered on a case-by-case basis as far as travel time is concerned.

409 - OTHER LEAVE PROVISIONS

- A. Military Leaves of Absence and Restoration of Position - A full time employee who is a member of the reserve component of any branch of the Armed Forces and who is either ordered to active duty or is required to attend annual training tours of duty is entitled to the benefits pursuant to applicable state and federal laws as amended from time to time. An employee returning from military leave is entitled to re-employment to his/her former position in accordance with State and Federal Laws. A copy of the employee's orders must accompany any request for time off.
- B. Leave of Absence Without Pay - A leave without pay may be requested by a regular full time employee following one full year of service. Exceptions to the time in service requirement may be made at the discretion of the City Manager in unusual circumstances. The leave request must be submitted in writing to the Human Resources Director for consideration by the City Manager stating the reason for the leave and the approximate time. A leave of absence must not interfere with the normal operations of the Department. Any leave shall not exceed six (6) months. An extension of leave time may be requested due to an emergency or extenuating circumstances. Benefits will not accrue during this period. Except as provided in the City's FMLA policy, health insurance benefits will only continue upon payment of full premiums by the Employee.
- C. Voting - Any employee will be allowed a reasonable amount of time off up to the maximum required by state law in order to vote should the employee be unable to vote at any time other than working hours due to requirements of the City. The employee must request time off to vote at least one (1) day prior to the election.
- D. Absence Without Leave - Absence without leave means any absence of an employee from duty without specific authorization. Whenever an employee is absent from work without prior authorization, the employee shall not receive pay for such absence and may be subject to disciplinary action.
- E. Abandonment of Position - An employee who is absent from work for two (2) consecutive working days without prior authorization shall be deemed to have abandoned and resigned his/her position effective at the beginning of the first day of unauthorized absence. The employee's separation will be reported as a resignation by abandonment of position.
- F. Civil Leave - An employee will be given time off with pay when performing jury duty or when required to serve as a witness in any criminal or civil proceeding as a result of his/her duties for the City not to exceed thirty (30) days in any twelve month period. This

does not apply to testimony in non-city related business. The compensation paid by the Court to the employee for such duty is to be deposited to the General Fund of the City. If an employee is involved in a personal court action, he may be granted leave to attend to his/her business; however, the time off will be charged to his/her vacation leave or compensatory time and, thereafter, will be leave without pay.

- G. Bereavement Leave - An employee may be granted up to three (3) days off with pay for funeral leave per year. Such leave will be allowed for an employee to attend the funeral, make arrangements for or to perform related activities involving an immediate family member defined as spouse, children, parents, grandparents, grandchildren, brother or sister (all to include step, half or foster relationships). Funeral leave may also be approved by the City Manager for other individuals on a case by case basis.

410 – COMMUNITY SERVICE PROGRAM

The City of Harrah recognizes the importance of community involvement and encourages employees to participate in volunteer activities by providing flexibility in work schedules and paid leave opportunities. Leave to provide community service allows full-time employees to take time off from work with pay for services within their community. A maximum of 16 hours of paid leave per fiscal year will be made available to current full-time employees on July 1 of each year.

A maximum of 8 hours will be made available to current part-time employees on July 1 of each year.

Examples of community service projects include volunteering at a shelter, school, animal shelter, food bank, hospitals or hospice facilities, assisting in the rehabilitation or building of housing, donating blood, serving as a mentor, or volunteering for other organizations that benefit the public.

This leave may be used only for providing community service as outlined in this policy. Paid leave is not granted for days that employees are not scheduled to work. Community service leave that is not used in a fiscal year will not be carried forward to the next fiscal year. Employees will not receive payment for unused community service leave at the end of the fiscal year or upon separation from employment. Employees will not be entitled to any reimbursement for travel, lodging, meals or and other community service related expenses. Leave time taken under this policy is voluntary and will not be included in the calculation of weekly hours for overtime for non-exempt staff. Leave taken for community service shall be documented on the employee's time sheet.

Employees must receive written approval from their department head prior to using community service leave. If the community service leave is not a project in which the entire office participates, the employees requesting paid leave under this policy shall submit a written request to their department head.

Department heads may require documentation from an official of the community service organization for the use of community service leave. Department heads should attempt to approve leave at the time requested by the employee, but have the discretion to disapprove the leave if it will significantly impact City operations. The City of Harrah may determine that it is not possible to release certain employees under this policy due to staffing requirements. A department head may require that leave be taken a time other than the one requested based on the City's needs and/or may require acceptable proof that any leave taken is within the purpose of this policy.

411 - EDUCATIONAL INCENTIVES

Subject to annual appropriation of funds by the City Council and at the discretion of the City Council on an annual basis, the City may provide the following educational incentives:

Associate Degree from an accredited college or university:	\$ 50.00 per month
Bachelors Degree from an accredited college or university:	\$100.00 per month

A certified copy of a transcript from an accredited college or university conferring the degree must be provided.

For Public Works employees only, and in lieu of the education incentives set forth above, the following incentives may be provided at the sole discretion of the City Council and subject to sufficient appropriations:

1. Completion of correspondence course approved by the City Manager in the field of water or sewer maintenance: \$25.00 per month per course up to a maximum of \$75.00 per month.
2. Attainment of water, sewer or lab license higher than required by the position held by the employee: \$25.00 per month per license up to a maximum of \$100.00 per month.

This provision includes a C license or above for Public Works Technician, a B license or above for the Public Works Supervisor and an A license or above for the Waste Water Treatment Plant Supervisor. Water and Sewer Laboratory licenses must be one grade above the basic laboratory license to qualify.

**SECTION 500
HOURS OF WORK AND ATTENDANCE**

501 - WORK PERIOD

The work period is a standard seven (7) day workweek which begins Sunday morning at 0000 hours and ends the following Saturday at 2400 hours. When necessary, emergency and essential functions will operate 24 hours per day, seven days per week.

502 - OVERTIME

- A. Non-exempt employees are entitled to receive compensatory time off at the rate of one and one-half (1-1/2) times for all hours actually worked over forty (40) in the standard work period as defined in Subsection 501. Except in an emergency, all overtime work must be pre-approved by the Supervisor/Department Head with final approval by the City Manager before the time records are turned in. Overtime pay is not authorized. Whenever possible, compensatory time off is to be taken in the same pay period in which it is earned. However, if this is not possible, the City reserves the right to schedule the compensatory time off at its discretion.

503 - LUNCH PERIODS

Whenever possible, employees, other than police and fire department employees, will be granted a non-paid one (1) hour lunch period each work day. The lunch period for police and fire employees shall be included in the forty hours of paid work. Lunch periods may vary from department to department depending on daily work schedules. Supervisor/Department Head shall schedule lunch periods so that normal service to the public will not be interrupted during the workday.

504 - SCHEDULES

Supervisor/Department Heads shall schedule shifts and working hours necessary for the efficient operations of their Departments.

505 - ABSENTEEISM

Except in an emergency, any employee absent from work shall be responsible for notifying his/her Supervisor/Department Head, or in his/her absence the City Manager or Human Resources

Director, two (2) hours in advance when he is to be off and when he will report back to work. Any employee who fails to comply with this rule may be subject to disciplinary action.

506 - TARDINESS

Each employee must be ready to work at the starting time and work up to the quitting time. Inexcusable or habitual tardiness will be grounds for disciplinary action up to and including termination.

507 - RECORDING OF TIME WORKED

Supervisors are required to keep an accurate record of hours worked by each employee. The time sheet shall reflect only authorized hours of work unless an exception is made by the City Manager.

- A. Time Sheets - Time sheets will be maintained for each employee. An employee's wages are computed directly from this record, which must be signed by the employee. Supervisors/Department Heads shall validate the hours worked and sign the time sheets before submitting them to the Payroll Clerk. The Supervisor/Department Head shall make all notations or alterations to the employee's timecard or time sheet. If the employee disagrees with any notation or alteration, the employee is required to sign a statement detailing the reason for refusing to certify the notation or alteration.

508 - COMPENSATION FOR "CALL-BACK" PERSONNEL

During a local, state, or federally declared disaster or emergency, certain "critical " or "essential" personnel may be asked to return to, or remain at work. In cases of emergency, where excessive overtime may be required, the City Manager may authorize personnel to remain or return to work and may authorize overtime to be paid to all employees, which would include salaried and hourly, rather than compensation time. This must be enforced regardless of whether there is an officially declared disaster or not.

SECTION 600 IN-SERVICE PROVISIONS

601 - TRAINING AND SAFETY

Training is an important part of the success and efficiency of the City's services and is instrumental to employee development. It is viewed as a shared responsibility between the

employee and management. The goal is to broaden the knowledge and skills of the employee in areas related to his/her job performance, to provide skills for enhanced career development and to ensure the best possible service to the public. Because degrees of training may differ between departments, the responsibility for the development of employee training programs is assigned to the Supervisors/Department Heads. They will review training needs at regular intervals to assure that effective training is accomplished within the department.

The City is committed to providing a safe and healthy workplace for all employees. Responsibility for observance of safe work practices is shared by each employee. Therefore, employees are required to attend safety training and apply the information provided by any in-service safety training manual. An employee is to immediately notify the Supervisor/Department Head of any unsafe condition in the workplace.

602 – TUITION ASSISTANCE

- A. Tuition assistance for city employees will be provided for those who have requested assistance for courses in advance of enrollment, initiate a claim on a purchase order and which are administered by an accredited college, university, or technical training center. Tuition is limited to the maximum of the highest in-state tuition and fees charged per credit hour by public Oklahoma Universities or Colleges. To be acceptable for reimbursement of tuition, each course taken must provide training which will tend to improve the services which the employee was hired to perform or may be reasonably expected to perform and said course must be completed with a grade of “C” or higher. When a letter grade is not awarded, a “Satisfactory” level is acceptable. Correspondence needed towards a degree must be attached to the individual’s request for reimbursement. The request must be approved by the Supervisor and the City Manager and filed in the individual’s personnel file.

Upon successful completion of an approved course or courses, the applicant will finalize the request for reimbursement of tuition as follows:

1. The employee must present a receipt from the university or college reflecting the amount paid for the tuition.
2. The employee must present a grade report from the university or college reflecting a grade of “C” or higher, or “Satisfactory”.
3. The above items must be attached to a completed purchase order.
4. Any employee using the City’s funds to obtain a degree, must upon obtaining said degree, sign a statement stating they will stay employed with the City of Harrah for an additional year of employment for each year that was paid by the City. If the City terminated the employment, the employee is no longer held to signed statement. **If employee resigns from the**

position, employee will be required to reimburse the city on a prorated basis, based on the number of months left to fulfill the employees' obligation to the City.

5. The City Manager will be responsible for determining which fund the monies for this benefit is budgeted and the maximum total annual expenditure per year will be \$5,250 per employee, which will not be taxed.
6. Upon enrollment, the employee may submit to the City Manager enrollment forms and degree requirements to allocate funds out of the allowable monies for this benefit that will be dependent upon the above scale for reimbursement.

603 - PROMOTION

The City will attempt to promote from within the workforce when it is determined that it would be in the best interest of the City and public. However, the City reserves the right to hire from outside sources for any position. In considering a promotion from within the workplace, the City will consider the person's qualifications, skills, aptitude, attitude, performance evaluations and attendance for the position. An employee may apply for a promotion after he/she has been either successfully released from probation or received written authorization from the City Manager to apply for the promotion.

If an employee is selected for promotion, he will receive a higher level of pay than what he is currently receiving, in accordance with the current pay plan adopted by the City Council. If the employee fails to meet the standards set for the position within a six (6) month period, the employee may be returned to his/her previous job classification if available, at the discretion of the City Manager and his/her pay decreased to that level.

No employee may be promoted or transferred to a position, which will result in that person being in a supervisory role in relationship to a spouse or family member. For the purpose of this policy, a supervisory role is defined as one where the person has direct or indirect input over the subordinate employee's pay, job evaluations, disciplinary recommendations, promotions, demotions or day-to-day supervision. Further, no employee may transfer into a position, which will result in the person being supervised by a spouse or family member. Family member is defined to include parent, child, brother, sister, aunt, uncle, cousin, niece, nephew, parent-in-law, brother-in-law or sister-in-law (all to include step, half and foster relationships).

In the event a situation arises in conflict with this provision, the impacted persons will be given three (3) months to resolve the conflict by one of the parties transferring to another department, resigning, accepting a demotion to a non-supervisory position or the like.

604 - TRANSFER

An employee may request a transfer after he has been in his/her position for at least six (6) months, or may be asked to transfer to a different Department if it is in the best interest of both Departments and if the employee meets the qualifications for that position. The employee shall be placed in the pay step deemed appropriate by the Supervisor/Department Head and approved by the City Manager. In addition, any employee may be transferred to another department by the City Manager as deemed necessary for the best interest of the City.

605 - DEMOTION/REASSIGNMENT

An employee may be reassigned to another available open position for which he is qualified if his/her position has been abolished or if he is unable to perform the duties of his/her current position. An employee may be demoted for disciplinary purposes. The employee shall be placed in the pay step deemed appropriate by the Supervisor/Department Head and approved by the City Manager.

606 - PERFORMANCE EVALUATION

The purpose of an evaluation is to:

Maintain or improve the employee's job satisfaction and morale;

Advise the employee of his/her strengths and weaknesses and what is expected of him/her in performing his/her duties;

Serve as a basis for promotion, demotions, reassignments and/or discipline;

Build and strengthen the Supervisor/Department Head and employee's work relationship; and

Determine the employee's possible merit pay for a given fiscal year.

All evaluations will be maintained in the employee's personnel file.

- A. Introductory Period Evaluation - Employee's will be evaluated within thirty (30) days of the end of their six (6) month introductory period. If the Supervisor/Department Head considers the employee's overall performance to satisfactory, regular full-time status will be recommended on the completion of the introductory period. If job performance is not satisfactory, the introductory period may be extended of an

additional ninety (90) days and a subsequent evaluation will be completed to determine whether to recommend the employee for regular full-time status or termination. It is the responsibility Supervisor/Department Head to keep the employee informed of his/her job performance throughout the introductory period.

- B. Annual Evaluation -Within thirty (30) days prior to the employee's anniversary date of employment in his/her current position, the immediate Supervisor/Department Head will evaluate the employee's quality and quantity of work performed. If the performance evaluation is satisfactory or better, and if the employee is not at the maximum of his/her pay range, the Supervisor/Department Head may submit a recommendation for a pay increase for the employee. The Supervisor/Department Head shall discuss the employee's job performance evaluation with the employee.

607 – EMPLOYEE INCENTIVE PROGRAM

The purpose of the Employee Incentive Program is to provide options for facilitating a workplace environment that rewards employees who have provided extraordinary service, leadership, role modeling and consistent performance deserving commendation, among which can paid time off and/or some other benefit approved by the City Manager.

Extraordinary service means: (a) an employee's willingness to work extra hours above and beyond the normally expected work schedule, including during emergencies, critical or unforeseen events to meet deadlines or complete projects; (b) developing and administering a special project/program requiring innovation, risk taking, and/or overcoming resistance to change that goes significantly beyond the general accepted standards; (c) providing exceptional leadership and role modeling for employees; (d) participation in team building and other employer sponsored programs meant to promote the City's goals and objectives; and (e) consistent performance over and above one's peers that is deserving of commendation.

Incentives for extraordinary service that can be requested by Department Heads or initiated by the City Manager for employees includes:

- Paid time off up to 5 calendar days per year. Paid time off is not subject to payout upon termination of employment. Employees who receive paid time off must use it within twelve (12) months of it being given or lose it. Paid time off must be requested in the same manner as vacation leave.
- Pins, plaques, or other similar incentive recognition.
- Gatherings or events for all employees.
- Lunch outings with the office, Department or Department Head.
- Snacks and other small treats.

- Additional pay.

A Department Head may recommend employees for incentives to the City Manager. The City Manager will review the recommendation to ensure it meets the requirements of extraordinary service and, if applicable, has been appropriately budgeted. The City Manager will approve or deny the request and, if approved, will forward the request to the Director of Human Resources for processing. The City Manager shall make the final approval or denial of an incentive request.

608 - DISCIPLINARY ACTION

The regulation of acceptable conduct is necessary for the orderly and efficient operation of the City and for the benefit and protection of the rights and safety of all employees and citizens. The following guidelines and procedures are designed to promote understanding of what is considered “unacceptable conduct.” These are guidelines only and other unacceptable conduct may result in disciplinary action being imposed on the employee.

- A. Progressive Discipline: The City will attempt to follow a system of progressive discipline for those offenses that are not serious. Progressive discipline might include counseling, oral reprimand/admonishment, written reprimand, suspension, demotion or reassignment, disciplinary probation and discharge. However, progressive discipline is only a guideline and the City retains the right to impose whatever level of discipline it deems appropriate for any unacceptable conduct when deemed in the best interest of the City.
- B. Disciplinary Procedures: While the express purpose of discipline is to correct inappropriate performance or behavior, discipline may be punitive in nature and will be based on an employee’s status or classification, past performance and behavior, the severity of the circumstances and the evidence warranting any action. When reviewing the degree of discipline to be imposed, the areas to review may include, but are not limited to, the following:
 - Severity of the action;
 - Policy or procedure violated and the employee’s knowledge thereof;
 - Past work history;
 - Degree of damage/injury to equipment, property or persons;
 - Length of service;
 - Degree of insubordination, if any;
 - Cover-up or false statements or records;
 - Prior safety record, if applicable;
 - Violation of a disciplinary probation agreement;
 - Cooperation during any investigation.

Employment is at will and may be terminated when such action is deemed for the good of the service. To assist employees and supervisors in understanding the disciplinary philosophy of the City, the following factors may be considered in determining the appropriate level of discipline. These factors are designed to serve merely as guidelines and the City of Harrah reserves the right to impose discipline for any reason deemed necessary for the good of the service and to select the level of discipline it deems appropriate for any single offense up to and including termination.

C. Disciplinary Reasons: The following are examples of the type of infractions, which normally would warrant severe discipline including termination. This list is not intended to be all-inclusive.

01. Insubordination: Gross neglect of duty, refusal to comply with management's lawful instructions or violation of or refusal or inciting others not to comply with departmental or City rules and regulations.
02. Negligent misuse, willful or malicious damage to, or destruction of, City property or property of others.
03. Theft, misappropriation or misuse of City property.
04. Conviction of or plea of guilty to any felony, or any criminal misconduct on or off duty involving moral turpitude or conduct that shocks the conscience of the community or brings the City's good name into disrepute because the conduct is public. A plea of "nolo contendere" will be considered tantamount to a conviction.
05. Disorderly or offensive conduct while on duty; disgraceful or offensive conduct while on or off duty, when such behavior threatens public respect for the City service or the public order, safety, or health.
06. Deliberate discourtesy to the public.
07. Habitual tardiness, unauthorized or excessive absences or abuse of sick leave, falsification of leave usage, sleeping on duty except when accepted as a normal portion of the job assignment.
08. Acceptance of a gift or fee or other valuable thing in the course of or in connection with work, other than items of nominal value.
09. Improper use of Authority: Use of official position or authority for personal profit or advantage; inducing or attempting to induce any employee to commit an unlawful act or to act in violation of any lawful departmental regulations or

professional ethics; discussing with unauthorized persons any confidential information gained through employment with the City.

10. Falsification of records, including application records or papers, time records, claims against the City, or falsification of any City record.
 11. Being under the influence of intoxicants or drugs while on duty, or while in any City vehicle or possession, use or distribution of alcohol or illegal substances while at work or on City property.
 12. Unreasonable failure to follow any safety policy, rule or regulation; gross negligence in the performance of duties; or any conduct that would place the employee, citizens or fellow employees or City property at risk.
 13. Smoking in unauthorized areas.
 14. Vending, soliciting, or collecting contributions on City time or City premises without prior authorization.
 15. Violation of the City's policy against discrimination or harassment.
 16. Excessive garnishments, tax liens or wage assignments as regulated by State law.
 17. Loss of appropriate licenses or certificates necessary to the function of the job or requirements for original appointment to the job.
 18. Job abandonment.
 19. Fighting or gambling on duty or while on City property.
 20. Failure to maintain "conditions of employment" as outlined in any disciplinary probation agreement.
 21. Consistent inability to perform assigned duties in an acceptable manner.
 22. Any behavior that impedes, interrupts, contradicts or jeopardizes the effective functioning of the City.
- D. The following are examples of infractions, which if not repeated, would generally warrant less severe discipline. This list is not intended to be all-inclusive. Repeated violations or cumulative violations would result in more severe discipline.

01. Violations of policies or procedures when proof exists that the employee had no knowledge or reason to have knowledge of the infraction.
02. Minor first violations of a policy or procedure, not considered a safety violation and not involving damage to or loss of City equipment, property, material or supplies, or any injury to any person.
03. Initial substandard performance before the employee is placed on notice.
04. Minor attendance problems.
05. Initial non-conformance with acceptable dress codes or hygiene standards.
06. Failure to report known violations of policy or procedure.
07. Failure to become knowledgeable of policies, procedures or work routines/processes.
08. Conviction of a misdemeanor, including minor traffic offenses on the job. A plea of “nolo contendere” is tantamount to a conviction. A plea bargain from a felony may or may not fall within this category based on the seriousness of the offense and whether it fits the definition of conduct unbecoming an officer.
09. Violation of traffic laws, parking ordinance, or noncompliance with accepted traffic safety practices.

E. Authority to Suspend and Length of Suspension

Summary Suspension: When it is deemed for the good of the service to immediately remove an employee from active service because he is a danger to the public, fellow employees, or to the City, a summary suspension with pay may be issued by the City Manager prior to finalizing the investigation.

609 - RESIGNATION

All employees, except temporary employees, are expected to give at least ten (10) working days notice prior to their last day of work. Failure to do so may be cause for denying future employment with the City. An employee resigning in good standing may be considered for re-employment by complying with all requirements for a new employee.

610 - LAYOFF

When there is a shortage of work or funds, or when the abolishment of a position becomes necessary, an employee(s) may be laid off. Recall of laid-off employee(s) may be considered at the discretion of the City when clearly in the best interest of the City if the position is re-established or if a vacancy becomes available for which the employee is qualified.

611 - RETIREMENT

Retirement as outlined in this handbook and the official applicable plan documents.

612 – DISABILITY

An employee who is unable to perform the essential functions of the position and where an accommodation would impose an undue hardship on the City may be separated as permitted by State and Federal law.

613 - DEATH OF AN EMPLOYEE

In the event of the death of a City Employee, termination shall be effective as of the date of death. Compensation due will either be paid to the beneficiary as designated by the employee or to the estate of the employee.

614 - SEPARATION FOR ANY REASON

Upon separation from employment, the employee will be required to return all City property. The separation date is the employee's last day to work. Upon separation, the employee has the option to have an exit interview, to be conducted by the Human Resources Director or the City Manager. This provides the employee with an opportunity to receive any benefit forms, to have any questions answered and to provide information related to the reasons for leaving City employment, where applicable.

615 - GRIEVANCE PROCEDURE

The City's policy is to encourage employees to make grievances known in an appropriate manner without fear of reprisal. Employees are encouraged to discuss with their Supervisor/Department Head any problems or issues which have the potential to create a negative or adverse atmosphere

and/or to impede an employee's performance. The intent of the City's grievance procedure is to fairly and expeditiously resolve problems through open, direct, honest two-way communication and to ensure, to the extent possible, that such problems/issues do not continue.

An employee who feels aggrieved is to verbally discuss the situation with the Supervisor/Department Head in an effort to informally address potential problem areas. Should the grievance directly involve the Supervisor/Department Head, the employee may proceed to the Human Resource Director.

The Department Head is to investigate the matter and take appropriate action to resolve the problem in a fair and timely fashion. If the grievant is not satisfied with the results obtained, the employee may submit a written account of the problem/issue and any action taken to the Human Resources Manager. Such statement must include:

1. A statement of the problem;
2. Names of the parties involved;
3. The employee's perception of the Supervisor's/Department Head's response to the problem;
4. Identification of the areas satisfied by the Supervisor's/Department Head's response and identification of the areas that remain unresolved.

The Human Resources Manager, with the assistance of the City Manager, may then consult with the parties in an effort to bring about a fair, expedient, equitable solution, and may further investigate the situation, if necessary.

616 - USE OF CITY PROPERTY

All employees are expected to exercise care in the use of City property. Personal use of City property or equipment is prohibited. Negligence in the care and use of City property, personal use of such property, or unauthorized removal of City property, may result in discipline. City equipment and property may not be removed without prior authorization from the City Manager.

Employees are prohibited from working on personal projects or outside businesses or activities during regular work hours. Employees violating these policies will be subject to discipline up to and including termination.

All employees are expected to exercise proper care in the use of all City property, tools and equipment. Any employee who loses City property or equipment, or who negligently damages the same, shall be responsible for the reasonable cost in replacing the items.

The City provides property and equipment to employees to assist them in carrying out their duties such as office equipment, computers, computer accounts, radios, voice mail, e-mail, fax machines, cellular telephones, furniture, lockers, vehicles and the like. All items remain the property of the City. These items are not for the exclusive use of any one employee. As these items are the property of the City, it reserves the right to inspect, review, audit, intercept, access, disclose and monitor such property, equipment and information systems at any time, with or without notice, and during or after regular work hours. All such items must be returned upon the request of the Supervisor/Department Head or the City Manager.

No employee is authorized to modify any such items without the prior written permission of the employee's supervisor. This includes, without limitation, a prohibition against loading usb drives, software programs or CD-ROM operations onto the City's computers without prior permission. Employees are prohibited from removing City computers and software for use elsewhere. Computer games are prohibited on City equipment. No employee is authorized to change the lock on or use a personal lock on City owned equipment without specific written permission from the Department Head. An employee may only install and use a password on a City computer with the consent of the City Manager. All passwords, except those on law enforcement computers, must be provided to the City Manager in a sealed envelope to be placed in the employee's personnel file and updated anytime that passwords are updated. All passwords on law enforcement computers must be provided to the Chief of Police.

The City strives to maintain a workplace free of harassment and is sensitive to the diversity of its employees. Therefore, the City prohibits the use of computers, e-mail systems, voice mail and all other communications and information systems in any manner which is disruptive, offensive, disrespectful or harmful to the morale of the employees. Fraudulent, harassing, obscene or unlawful messages and/or materials are not to be sent, printed or stored on City equipment.

All City provided property and equipment are to be used only in the furtherance of legitimate City business. The City's information system is not to be used to solicit or proselytize for personal, political, commercial or religious causes, outside organizations or other non-job related personal matters. This policy does not prevent brief personal communications between employees or between employees and family members so long as it does not become time consuming and does not detract from day-to-day operations.

617 - VEHICLE OPERATION AND MAINTENANCE POLICY

Certain positions require the use of a City vehicle. Only employees assigned by a Supervisor/Department Head to a vehicle are authorized to drive that vehicle. An employee using a City vehicle must maintain it in a clean and orderly condition and ensure that it is properly fueled at the end of each shift. If a vehicle becomes unsafe to drive for any reason, a written report must be prepared and delivered to the Supervisor/Department Head and the City Manager.

Certain positions may require that a City vehicle be assigned to an employee on a long term basis. The employee holding that position is responsible for ensuring that all licenses and inspections are kept current, and that necessary servicing and repairs are performed.

The following conditions shall apply to the use of any City vehicle:

1. All employees utilizing a City vehicle must hold a valid appropriate driver's license as required by State law.
2. Traffic citations received while operating a vehicle are the responsibility of the driver operating the vehicle.
3. Smoking is not permitted in City vehicles.
4. City vehicles will be operated at all times in conformance with state and local laws. The driver and all passengers shall wear safety restraints at all times in accordance with department policy and state law.

Accidents:

1. All vehicular accidents must be reported immediately to the police department, the Supervisor/Department Head and the City Manager.
2. An "*Accident Reporting Form*," (see Appendix G) is contained in the glove compartment of each City vehicle. This form must be completed by the driver at the scene of the accident or as soon thereafter as possible.

City employees may be transported in City vehicles while on duty or while engaged in City business. In addition, elected City officials, members of City Boards and Commissions, City volunteers, persons in police custody and persons designated by the City Manager may ride in City vehicles. All other persons may only be transported in a City vehicle in the case of an emergency or with permission of the City Manager.

APPENDIX "A"

Complaint Form

Name of Complainant: _____

Position with the City: _____

Name and Position of Person(s) allegedly violating City policies, including any claims of discrimination and/or harassment: _____

Date and Place of Occurrence: _____

Description of the event giving rise to the Complaint (Please use additional sheets as needed)

Name, address or position of any potential witnesses to the events: _____

Date

Signature of Employee

Date

Employer

APPENDIX “B”

Supervisory By-Pass Procedures

1. Purpose: This policy is designed to provide a procedure whereby employees may, in good faith, report suspected violations of City policies and/or state or federal laws by supervisory or management personnel without fear of retaliation. However, abuse of this procedure by knowingly reporting false information will result in disciplinary action up to and including termination. For the purpose of this policy, an “immediate supervisor” is defined as a person in the employee’s immediate chain of command who generally performs evaluations as well as persons in the chain of command who may recommend discipline and who provide direct supervisory or management control over the employee’s employment welfare.
2. Procedures:
 1. In the event that an immediate supervisor is violating a City policy or in violation of a state or federal law, the employee witnessing the violation may utilize this by-pass procedure and report the incident to the City Manager or Human Resources Director utilizing the Complaint Form attached as Appendix “A”.
 2. In the event that the City Manager is also suspected to be involved in the alleged violation, the employee may report the incident directly to the Mayor utilizing the same form. The Mayor may directly investigate the allegations or may assign the investigation to some other Department Head.
 3. If the event that the Mayor is suspected of being involved in the alleged violation, the employee may report the allegations to the City Council on the Complaint Form. The City Council will determine the best method of investigating the allegations.
 4. All complaints will be handled in as confidential a manner as possible under the totality of the circumstances recognizing that witnesses may have to be interviewed and the allegations discussed with them. Any findings of fact will be reduced to writing and the complainant will be informed of the ultimate determination of the fact finder(s). However, due to the need to protect the privacy interests of

all employees, the complainant may or may not be informed of any final act of discipline, if any.

“Appendix C”

ALCOHOL & CONTROLLED SUBSTANCE TESTING POLICY AND PROCEDURES

Effective date of policy-January 31, 2012

Section 1. Policy Statement: The City recognizes the importance of having a drug and alcohol free workplace. The abuse of drugs, alcohol or other chemical substances endangers the safety of the public, the employee, and other City employees. The City recognizes that it is in its best interest, as well as the best interest of its employees and the public, to prevent and eliminate drug, alcohol and/or substance abuse in the work place. Any employee found using, possessing, selling, distributing or being under the influence of an illegal chemical substance and/or alcohol during working hours or while on City property or while using City equipment will be subject to discipline up to and including termination of employment.

Section 2. Effective Date: This policy will be effective ten (10) days after official posting in a prominent place at all City facilities where employees routinely report for duty and following distribution of the policy to all employees. In addition, a copy will be given to each applicant for employment upon receipt of a conditional offer of employment.

Section 3. Application: This policy applies to all employees as well as all applicants for employment once they have received a conditional offer of employment. This policy will comply with the Oklahoma Standards for Workplace Drug and Alcohol Testing Act, 40 O.S. §551 *et. seq.* (the “Act”) as amended effective November 1, 2011.

Section 4. Applicant Pre-Employment Testing: All applicants will undergo drug and/or alcohol testing following a conditional offer of employment but prior to final hiring and assignment. Refusal to undergo a test, or a positive test, will result in the City withdrawing its conditional offer of employment. In addition, adulteration of a specimen or of a drug or alcohol test will be considered as a refusal to undergo a test.

Section 5. For Cause Testing: Drug and/or alcohol testing may be conducted on any employee at any time the City has reasonable suspicion that there is cause to believe that an employee may be under the influence of drugs or alcohol, including, but not limited to, the following circumstances:

- 5.1 Observation of drugs or alcohol on or about the employee’s person or in the employee’s vicinity;
- 5.2 Observation of conduct on the part of the employee that suggests that the employee is impaired or is under the influence of drugs or alcohol;
- 5.3 Receipt of a report of drug or alcohol use by an employee while at work;
- 5.4 Information that an employee has tampered with drug or alcohol testing at any time;
- 5.5 Negative job performance patterns by the employee; or
- 5.6 Excessive or unexplained absenteeism or tardiness.

The supervisor will verbally inform the employee of the reason for the test. Additionally, a written record of the

situation leading to the drug or alcohol test will be created and signed by the supervisor(s) within 24 hours of the event. A copy of the report will be forwarded to the Human Resources Department.

The employee involved must stop work immediately and will be transported as soon as possible to the designated testing facility by a management/supervisory employee. The employee will not be allowed back to work until the results of the test are known.

Section 6. Post Accident Testing: Post-Accident drug and/or alcohol testing may be conducted on an employee where there has been damage to City property or equipment or the employee or another person has sustained an injury while at work. The post accident test will be administered while the employee is still on duty or as close to as possible. No employee required to take a post accident alcohol or drug test may use any alcohol or drugs, of any kind, following the accident until he/she undergoes the post accident testing.

Section 7. Random Testing: The City may, at various times, randomly select members of the following employment groups, at its discretion, for unannounced random testing for drugs or alcohol:

- a. police officers;
- b. firefighters;
- c. persons engaged in activities which directly affect the safety of the public; or
- d. employees whose work involves direct contact with inmates in the custody of the Department of Correction.

Section 8. Periodic Scheduled Testing: The City may require an employee in any of the employment groups identified in Section 7 above to undergo drug or alcohol testing as part of a routinely scheduled employee fitness for duty examination.

Section 9. Post Rehabilitation Testing: The City may require an employee to undergo drug and/or alcohol testing, without prior notice, for a period of up to two (2) years after the employee's return to work following a positive test result or following participation in a drug or alcohol dependency program. Post-rehabilitation testing will be conducted in addition to any other testing the employee is subject to under this policy.

Section 10. Substance for Which Tests May Be Given: The City reserves the right to test for all drugs and for the presence of alcohol. The test for drugs may include, but not be limited to: amphetamines, cannabinoids, cocaine, phencyclidine (PCP), hallucinogens, methaqualone, opiates, barbiturates, benzodiazepines, synthetic narcotics, designer drugs, steroid or a metabolite of any of the above.

Threshold reporting levels will be those established and maintained by the Federal Department of Transportation and as utilized by the National Institute for Drug Abuse (NIDA). Any positive levels below those established reporting levels will not be reported to the City's Review Officer by the testing laboratory.

Section 11. Methods and Documentation: Collection, storage, transportation, testing facilities and testing procedures will be conducted in accordance with rules established by the State Board of Health. Samples may be collected on the premises of the City at its election. Body component samples will be collected with due regard to the privacy of the individual being tested. In no case may any City employee directly observe collection of a urine sample. A written record of the chain of custody of the sample will be maintained until the sample is no longer required.

All sample testing will conform to scientifically accepted analytical methods and procedures. Testing will include conformation of any positive test results by gas chromatography, gas chromatography-mass spectroscopy, or an equivalent scientifically accepted method of equal or greater accuracy as approved by the State Board of Health at the cut off levels as determined by the State Board of Health. In the case of the use of Breathalyzer testing method, no discipline may be imposed unless there is a confirmation test performed.

An applicant or employee will be given the opportunity to provide notification of any information which he/she considers relevant to the test, including currently or recently used drugs or other relevant information. In the event that an employee wishes to challenge the results of the City's test, he/she may do so as provided in this policy. The employee must have had the sample collected within one hour of the City's sample and such retest must be in accordance with the standards set forth by the State Board of Health and in this policy.

Section 12. Costs: The City is responsible for all costs associated with drug or alcohol testing. However, if an employee or applicant requests a confirmation test of a sample within twenty-four (24) hours of receiving notice of a positive test result in order to challenge the results of the positive test, the employee or applicant is responsible for the cost of the confirmation test unless the confirmation test reverses the findings of the challenged positive test. In such case, the City will reimburse the person for the cost of the confirmation test.

Section 13. Refusing to Undergo Testing or Tampering with Sample: Employees refusing to undergo testing according to the terms of this policy will be subject to disciplinary action up to and including termination. Adulteration of a specimen or of a drug or alcohol test will be considered as a refusal to undergo a test and will result in disciplinary action up through and including termination of employment.

Section 14. Review Officer: The City will contract with a Review Officer who will receive confirmed positive test results from the testing facility and evaluate those results in conjunction with the subject employee and/or applicant. The Review Officer will be qualified by the Board of Health to receive, interpret and evaluate the test results. Upon receiving a confirmed positive test result, the Review Officer will contact the applicant or employee prior to notification of City officials. The applicant or employee will be given the opportunity to explain the test results.

Section 15. Confidentiality: The City will treat all tests and all information related to such test, as confidential materials. All records relating to drug testing will be kept separated from personnel records. The records are the property of the City but will be made available to the affected applicant or employee for inspection and copying upon request and will also be available for review by the City's Review Officer. The records will not be released to any person other than the applicant or the employee without that person's express written permission.

Section 16. Disciplinary Action: The City may elect to take disciplinary action, up to and including termination of employment, against an employee who: 1) tests positive for drugs and/or alcohol; 2) refused to test under this policy; or 3) adulterates a specimen or a drug or alcohol test.

16.1 Positive Test Results: The City will evaluate the employment history of any employee who tests positive for drugs and/or alcohol. The appropriate course of action will be determined based on the employee's total work record. Where deemed appropriate by management, an employee may be offered the opportunity to enter into a rehabilitation program. Continued employment will be contingent upon the successful completion of a rehabilitation program and an agreement to undergo periodic drug and/or alcohol post-rehabilitation testing for up to two (2) years. However, the City reserves the right to initiate disciplinary action, up to an including termination of employment, for the first positive test result. A decision regarding disciplinary action under this policy by management will be final and binding.

16.2 Employees who have tested positive, and who have been offered the opportunity to participate in a rehabilitation program in lieu of termination of employment, will not be allowed to return to work until they can

provide a verified negative "return to work" test from a City approved facility. An employee may be allowed a maximum of 12 weeks to provide a verified negative "return to work" drug or alcohol test. If a negative test is not provided within 12 weeks, the employee will be terminated from employment. Until a negative "return to work" test is supplied, the employee will be on leave without pay. However, an employee may request permission to use accrued sick leave and vacation leave. An employee may request a "return to work" test no sooner than two weeks from a positive test result, and subsequently every other week thereafter, until a negative "return to work" test is obtained. Employees refusing to seek help or submit to testing in accordance with this policy will be subject to disciplinary action.

16.3 In the event the City does not terminate the employment of an employee who has a positive test result, the employee who enters a rehabilitation program after the positive test results will be permitted to do so only once. Any future recurrence for abuse with the same or any other substance will result in termination of employment.

16.4 An employee who is discharged from employment on the basis of refusal to undergo drug or alcohol testing or based on a positive drug or alcohol test will be considered as having been discharged for misconduct for the purpose of unemployment compensation and the City will protest any application for unemployment benefits.

Section 17. Prohibitions: No employee may report for duty within four hours after using alcohol or remain on duty while having an alcohol concentration of 0.04 or greater and no supervisor will permit any employee to perform any work duties if the supervisor is aware the employee has an alcohol concentration of 0.04 or greater. No employee will be on duty or operate a City vehicle/equipment or perform job duties while in possession of alcohol nor use alcohol during duty time. Further, no employee may report for duty, drive a City-owned vehicle, operate City equipment or remain on duty when the employee has used any controlled substance, except when the use is pursuant to the instructions of a physician and where the physician has advised an employee the substance will not adversely affect an employee's ability to drive a vehicle or operate equipment. No supervisor having knowledge that an employee has used a controlled substance may permit an employee to be on duty or drive/operate any City vehicle or equipment.

Section 18. Responsibilities of Individuals: In order to comply with the provisions of this policy, each employee assumes the following responsibilities:

18.1 Working Under the Influence of Performance Impairing Medication: Employees who have been prescribed legal medications that might affect the safe performance of their duties are required to notify their supervisors prior to performing any hazardous or dangerous tasks.

18.2 Reporting to Work or Working While Impaired: Employees may not report to work and may not continue to work while impaired by any restricted substance identified in this policy.

18.3 Reporting Violations: The services provided by certain employees are performed, at times, under hazardous and dangerous conditions. Thus, employees are encouraged to come forward and report any violation of this policy to management. This information may be instrumental in the prevention of serious accidents and injuries on the job.

APPENDIX “E”

Updated 7-21-16

FAMILY AND MEDICAL LEAVE ACT (FMLA) POLICY

- A. **APPLICATION.** This policy applies to individuals who have been employed by the City for at least a total of (12) months and who have worked at least 1,250 hours during the immediate preceding twelve (12) month period.
- B. **DEFINITIONS.**
1. “Child” means a biological, adopted or foster child, a stepchild, a legal ward or a child of a person standing in the place of a parent, under 18 years old or if 18 years old or older is incapable of self-care because of mental or physical disability.
 2. “Parent” is the biological parent of the employee or an individual who stood in place of the biological parent when the employee was a son or daughter.
 3. “Qualifying Exigency” means one or more of the following: a) up to seven (7) calendar days for short term notice deployment; b) military event and related activities; c) childcare and school activities; d) financial and legal arrangements; e) counseling; f) short term rest and recreation; g) post deployment activities; and h) additional duties arising out of active service.
 4. “Spouse” is a husband or wife.
 5. “Serious illness” means an illness, injury, impairment or physical or mental condition that involves: (1) in-patient care in a hospital, hospice or residential medical care facility; (2) chronic conditions requiring continuing treatment by a health care provider; 3) permanent, long term conditions requiring medical supervision; 4) conditions requiring multiple treatments; 5) specialized pregnancy related conditions and 6) substance abuse treatment of the employee or a family member.
- C. 1. **REASONS FOR LEAVE.** An employee who meets the requirements set forth in Sections A and B above, may be granted a total of twelve (12) weeks of family medical

leave during a twelve (12) month period, [the twelve (12) month period is based on a rolling year], for the following reasons:

- A. The birth of the employee's child and in order to care for the child;
- B. The placement of a child with the employee by adoption or foster care;
- C. To care for the employee's spouse, child or parent who has a serious health condition;
- D. A serious health condition that renders the employee incapable of performing the functions of his or her job; or
- E. Due to a qualifying exigency that arises because a service member of the Reserves, National Guard or certain retired members of the regular armed forces or retired reserves has been called to federal active duty or ordered to federal active duty in the armed forces for a contingency operation.

2. BOTH SPOUSES WORKING FOR THE CITY. The total family leave that may be taken by spouses who are both employees of the City shall not exceed a total of twelve (12) weeks if the leave is taken for birth or adoption of a child or the serious illness of a parent. This section does not apply to the employee's own illness or the serious illness of a child. In those situations, both employees are entitled to a total of twelve (12) weeks leave.

3. BIRTH/PLACEMENT OF A CHILD. The entitlement to leave for the birth or placement of a child by adoption or foster care will expire twelve (12) months from the date of the birth or placement. The City is not required to grant intermittent leave in these circumstances although it may do so on a case by case basis.

D. NOTICE OF LEAVE. An employee intending to take family or medical leave because of an expected birth or placement, or because of a planned medical treatment for the employee or family member, must submit an application for leave at least thirty (30) days before the leave is to begin. If leave is to begin within thirty (30) days, an employee must give notice to the Human Resource Director as soon as the necessity for the leave arises. When it is not practicable to provide advance notice, or when the need for the leave is not foreseeable, the employee must give notice as soon as practicable (absent an emergency situation, the same or next business day) and in compliance with the City's notice and

procedural requirements for seeking leave as set forth in the City's Handbook. Further, the employee is required to follow the City's call-in policy set forth in the Handbook when the employee will be absent from work. An employee requesting leave must complete an "Application for Family and Medical Leave" form. The completed application must state the reason for the leave, the duration of the leave, and the estimated starting and ending dates of the leave. The completed application must be submitted to the Human Resource Director via the City Clerk for approval.

- E. MEDICAL CERTIFICATION OF LEAVE.** An application for leave, based on the seriousness of the health condition of the employee or the employee's spouse, child or parent, must also be accompanied by a "Medical Certification Statement" completed by the health care provider stating the date on which the health condition commenced, the probable duration of the condition, and appropriate medical facts regarding the condition. The completed form is to be returned to the City within fifteen (15) days of receipt, unless the time is extended for good cause shown. Failure to provide the required information may result in denial of job protected leave unless the employee is able to provide adequate reason for the failure to provide the required information.

If the leave is needed to care for a spouse, child, or parent of the employee, the certification must so state an estimate of the amount of time the employee will need to be off work. If the employee has a serious health condition, the certification must state that the employee cannot perform the functions of his or her job. The City may request a second opinion, at the City's expense. If the original opinion and the second opinion conflict, the City may require a third opinion by a physician jointly selected by the City and the employee. The City will bear the cost of the third opinion, which is final and binding on the employee and the City, as to the necessity of the medical leave. The City may require subsequent re-certification on a reasonable basis.

- F. PAID/UNPAID LEAVE.** The employee must first use accrued, but unused, leave as part of the twelve weeks. The order of usage, i.e. accrued vacation leave, accrued holiday leave (if any), accrued sick leave and accrued compensatory time off will depend on the reason for the leave and will be in accordance with the leave policies in the City's Handbook. Leave must be used in the same increments outlined in the Handbook for the applicable leave if that leave was taken for reason other than FMLA leave. After all vacation, holiday leave, sick leave and compensatory time off has expired, the remaining part of the twelve weeks will be without pay.
- G. BENEFITS COVERAGE DURING LEAVE.** During a period of family or medical leave, an employee will be retained on the City's health plan under the same conditions that applied before leave commenced. To continue health coverage, the employee must continue to make any contributions that he was making to the plan before taking leave.

If the employee fails to return to work after the expiration of the leave, the employee may be required to reimburse the City for payment of all health insurance premiums made by the City during the family or medical leave as provided by the Family and Medical Leave Act.

An employee is not entitled to the accrual of any seniority or any other employment benefits that would otherwise have accrued during the period of leave. An employee who takes family or medical leave will not lose any seniority or employment benefits that accrued before the date leave began.

- H. RETURN FROM LEAVE. An employee must complete and submit to the City Manager via the Human Resource Director a “Notice of Intention to Return From Family or Medical Leave” form, before he/she can be returned to active status. If an employee wishes to return to work prior to the expiration of an approved family or medical leave of absence, notification must be given to the City Manager at least five (5) working days prior to the employee’s planned return. An employee must also submit a fitness for duty certificate from the employee’s health care provider indicating that the employee is able to resume work and is able to perform the essential functions of his/her position where the leave is due to the employee’s serious health condition.

Upon return to work, an employee will be restored to his old position or to a position with equivalent pay, benefits and other terms and conditions of employment. The City cannot guarantee that an employee will be returned to his or her original job.

- I. FAILURE TO RETURN FROM LEAVE. The failure of an employee to return to work upon the expiration of a family or medical leave of absence will subject the employee to termination of employment unless an extension of leave is granted by the City Manager. An employee requesting an extension of leave must submit a request for an extension, in writing, to the City Manager via the Human Resource Director. The request must be accompanied by a physician’s statement as to the necessity for the continued leave. The written request is to be made as soon as the employee realizes that he or she will not be able to return at the expiration of the leave period. The extension must be approved by the City Manager or his designee.

- J. MILITARY CARE GIVER LEAVE: Up to twenty-six (26) weeks of leave may be granted in a single twelve (12) month period to an employee, including next of kin, who meets the requirements set forth in Subparagraph A above, to care for a covered service member for a serious injury incurred by the covered service member in the line of active duty. For the purpose of this section of the Policy, the following definitions apply:

1. “Covered service member” means a member of the Armed Forces, National Guard or Reserves who is undergoing medical treatment, recuperation, or therapy, is otherwise in an outpatient status, or is on temporary disability retired list for a serious injury or illness. Former

members of the Armed Forces, National Guard or Reserves are not covered by this provision.

2. “Serious injury or illness” is one incurred in the line of active duty that may render the member unfit to perform his/her duties. It includes both physical as well as psychological injuries.

The City may require certification that the employee is needed to care for a seriously ill or injured service member. The certification may be completed by the Department of Defense health care provided, a Veterans Affairs health care provider, or a Department of Defense non-network TRICARE authorized private health care provider. The burden is on the employee to provide the Certification, upon request, and failure to do so may result in a denial of the leave.

APPENDIX "F"
TRAVEL EXPENSE
FORM

TO: The City of Harrah
PO Box 636
Harrah, OK 73045

ATTN: Finance Director

DATE SUBMITTED: _____

DATE WORKED: _____

TYPE OF EVENT, TRAINING, SEMINAR:

EXPENSES INCURRED: (RECEIPTS ATTACHED)

LODGING\$ _____

MEALS.....\$ _____

MILEAGE _____ **AT** _____ **PER MILE**\$ _____

TOLLS.....\$ _____

PARKING.....\$ _____

MISCELLANEOUS.....\$ _____

TOTAL EXPENSE INCURRED.....\$ _____

EMPLOYEE SIGNATURE _____ **DATE** _____

DEPARTMENT HEAD/SUPERVISOR SIGNATURE _____ **DATE** _____

CITY MANAGER SIGNATURE _____ **DATE** _____

Headlights on: <input type="radio"/> Yes <input type="radio"/> No	Turn signals on: <input type="radio"/> Yes <input type="radio"/> No		
Emergency lights in use: <input type="radio"/> Yes <input type="radio"/> No	Siren in use: <input type="radio"/> Yes <input type="radio"/> No		
Seat belts: <input type="radio"/> Yes <input type="radio"/> No			
Vehicle or equipment damaged:			
Vehicle #:	Tag #:	Mileage:	
What was the purpose of your trip?			
What was your destination?			
Damage to vehicle/point of impact:			
Operable? <input type="radio"/> Yes <input type="radio"/> No If not, who towed vehicle?			
Where is vehicle located now?			
Were you injured? <input type="radio"/> Yes <input type="radio"/> No			
If yes, where were you taken for treatment?			
Passengers in vehicle? <input type="radio"/> Yes <input type="radio"/> No List passengers:			
Were passengers injured? <input type="radio"/> Yes <input type="radio"/> No List passengers:			
Were passengers injured? <input type="radio"/> Yes <input type="radio"/> No If so, who?			
OTHER VEHICLE:			
Year:	Make:	Model:	Tag #:

Insurance					
Company: _____					
	Name	Address	City/State	Zip	
Owner: _____					
	Last Name	First Name	Complete Address		
Phone #: Home: _____ Work: _____					
Driver: _____					
	Last Name	First Name	Complete Address		
Damage to vehicle / point of impact:					
Was vehicle operable? <input type="radio"/> Yes <input type="radio"/> No Any passengers? <input type="radio"/> Yes <input type="radio"/> No					
How many? Any injuries? <input type="radio"/> Yes <input type="radio"/> No If so, who?					

(If more than one vehicle involved, list same information on reverse side)					
WITNESSES:					
	Last Name	First Name	Address	Home Phone	Work Phone
1.	_____	_____	_____	_____	_____
2.	_____	_____	_____	_____	_____
3.	_____	_____	_____	_____	_____
Investigated by police? <input type="radio"/> Yes <input type="radio"/> No If not, why?					
Which police department investigated?					
Investigating officer's name:					

Was Insurance Company notified? <input type="radio"/> Yes <input type="radio"/> No If not, why?
Citations issued? <input type="radio"/> Yes <input type="radio"/> No Who received citation?
What were charges?
If damage occurred due to theft, where was vehicle recovered?
Damages:
Who reported or advised?
If damage was the result of storm or theft, where was vehicle located when incident occurred?
State in your own words what happened:

What could you have done to avoid the accident?

Employee's Signature

Department Head's Signature

Supervisor's Signature

City Manager's Signature