



CITY OF CLARION

PERSONNEL POLICY MANUAL

APPROVED BY THE CITY COUNCIL MAY 21, 2018

TABLE OF CONTENTS

<u>ARTICLE #:</u>	<u>TITLE:</u>	<u>PAGE:</u>
Article I	INTRODUCTION.....	7
Article II	DEFINITION OF TERMS.....	9
Article III	POLICY ON SUPERVISOR-EMPLOYEE RELATIONS.....	13
Article IV	AFFIRMATIVE ACTION, EQUAL EMPLOYMENT OPPORTUNITY, HARASSMENT & SEXUAL HARASSMENT, AND ILLEGAL DRUG INVOLVEMENT	15
Article V	EMPLOYMENT PRACTICES.....	24
Article VI	EMPLOYMENT STATUS	31
Article VII	WORK CONDITIONS.....	33
Article VIII	COMPENSATION, ADJUSTMENT, AND PERFORMANCE APPRAISAL	37
Article IX	BENEFITS	39
Article X	POLICY AND OPERATIONAL MATTERS.....	64
Article XI	INTERNET, E-MAIL & VOICE MAIL.....	70
Article XII	SOCIAL MEDIA USE.....	72
Article XIII	DISCIPLINARY ACTION	76
Appendix		84

ARTICLE I - INTRODUCTION	7
1.1 Purpose and Intent	7
1.2 Authority – Distribution	7
1.3 Supplements to the Policy Manual	8
1.4 Suppression of Previous Personnel Policies	8
1.5 Official Status of the Personnel Policy Manual	8
ARTICLE II - DEFINITION OF TERMS	9
2.1 Definitions	9
ARTICLE III – POLICY ON SUPERVISOR-EMPLOYEE RELATIONS	13
3.1 Framework of Policy on Employee Relations	13
3.2 Role of Department Directors and Supervisors	13
3.3 Responsibilities of Department Directors and Supervisors	13
3.4 Department Directors' and Supervisors' Responsibilities to Administration	13
3.5 Department Directors' & Supervisors' Responsibilities to Subordinates	14
3.6 Strength and Future Depends Upon Department Directors and Supervisors	15
ARTICLE IV – AFFIRMATIVE ACTION, EQUAL EMPLOYMENT OPPORTUNITY, SEXUAL HARASSMENT, AND ILLEGAL DRUG INVOLVEMENT	15
4.1 Affirmative Action/Equal Employment/Hostile Work Environment Policy	15
4.2 Harassment	16
4.3 Sexual Harassment	17
4.4 Policy- Compliance/Non Compliance	17
4.5 Reporting Violations	18
4.6 Policy for Drug and Alcohol-Free Workplace	18
4.7 Drug and Alcohol Testing Programs	21
ARTICLE V – EMPLOYMENT PRACTICES (RECRUITMENT-SELECTION-PLACEMENT)	22
5.1 Employment Opportunity	24
5.2 Genetic Information Nondiscrimination Act	24
5.3 Citizenship and Residence	25
5.4 Recruitment & Hiring Process	25
5.5 Selection	26
5.6 Veterans' Preference	26
5.7 Examination and Background Checks	26
5.8 Employment of Relatives	27
5.9 Oral and Written Examinations	27
5.10 Classification of Employment	28
5.11 Foreign Language Cash Incentive	28
5.12 Other Non-Exempt Staff	28
5.13 Salaried Employees	29
5.14 The "Workday"	30
5.15 Attendance At Meetings	30

5.16	Compensatory Time for Payment of Overtime.....	30
5.17	Official Personnel Files.....	30
5.18	Records.....	31
5.19	References.....	31
ARTICLE VI – EMPLOYMENT STATUS.....		31
6.1	Probationary Period.....	31
6.2	Promotion / Transfer.....	32
6.3	Re-employment.....	32
6.4	Resignations.....	32
6.5	Reduction in Force.....	32
ARTICLE VII – WORK CONDITIONS.....		33
7.1	Workplace Violence Policy.....	33
7.2	Smoke Free Workplace.....	33
7.3	Meal Breaks and Rest Periods.....	34
7.4	Lactation Accommodation Policy.....	34
7.5	Dress Code.....	35
7.6	Time Records.....	35
7.7	Attendance at Conferences, Seminars, and Technical Meetings.....	36
7.8	Hazardous Materials.....	37
7.9	Work Schedule.....	37
ARTICLE VIII – COMPENSATION, ADJUSTMENT AND PERFORMANCE APPRAISAL		37
8.1	Salary Schedule.....	37
8.2	Rates of Pay.....	38
8.3	Salary Adjustments.....	38
8.4	Total Remuneration.....	38
8.5	Temporary Pay Increase.....	38
8.6	Payroll.....	38
8.7	New Appointments.....	39
8.8	Performance Evaluation.....	39
ARTICLE IX - BENEFITS		39
9.1	Annual Leave/Vacation.....	39
9.2	Sick Leave.....	40
9.3	Regular Part-time Employee Benefits.....	42
9.4	Wellness.....	43
9.5	Bereavement and Funeral Leave.....	43
9.6	Family and Medical Leaves of Absence.....	43
9.7	Military Leave.....	51
9.8	Jury Leave.....	51
9.9	Leave of Absence.....	51
9.10	Holidays.....	53
9.11	Clothing Allowance.....	53
9.12	Cell Phone Reimbursement.....	54

9.13	Longevity Incentive Program	54
9.14	Advanced Education Programs	54
9.15	Commercial Drivers' Licenses & Reimbursement.....	56
9.16	Health Insurance	56
9.17	Life Insurance	57
9.18	Dental Insurance	57
9.19	Vision.....	57
9.20	Exception.....	57
9.21	Off-the-Job Disability	57
9.22	Accidental Death & Dismemberment.....	58
9.23	Off-the-Job Injuries	58
9.24	Accidental On-the-Job Injuries or Illnesses	58
9.25	Worker's Compensation Occupational Disease.....	61
9.26	Retirement and Pension	61
9.27	Transitional Duty.....	62
ARTICLE X – POLICY AND OPERATIONAL MATTERS		64
10.1	Political Activity	64
10.2	Outside Employment	66
10.3	Purchasing Policy	66
10.4	Gifts or Gratuities.....	66
10.5	Conflict of Interest.....	66
10.6	Use of City-Owned Vehicles	67
10.7	Use of Private Vehicles	68
10.8	Reimbursement for Loss of Personal Items.....	68
10.9	Press Releases	69
10.10	Use of City Telephones.....	69
10.11	Solicitation, Selling, and Peddling Among Employees	69
10.12	Clarion Logo.....	69
10.13	Clarion Name	69
10.14	Personal Mail/Postage	70
10.15	Punctuality	70
10.16	Unexcused Absenteeism & Tardiness	70
10.17	Changes of Name, Address, Marital or Family Status	70
ARTICLE XI – INTERNET, E-MAIL & VOICE MAIL USAGE		70
11.1	Acceptable Uses.....	71
11.2	Unacceptable Uses	71
ARTICLE XII – SOCIAL MEDIA USE		72
12.1	Purpose	72
12.2	Definitions.....	72
12.3	Policy and Procedures.....	73
12.4	Posting/Commenting Guidelines	74
12.5	Security of Social Media Accounts	76
ARTICLE XIII - DISCIPLINARY ACTION AND GRIEVANCE PROCEDURE		76
13.1	Oral Reprimands	77

13.2	Written Reprimands.....	77
13.3	Suspensions.....	77
13.4	Discharge.....	77
13.5	Disciplinary Action.....	78
13.6	Code of Ethics/Rules of Conduct Applicable to All Employees.....	78
13.7	Internal Handling of Complaints Against Police and Fire Personnel.....	81
APPENDIX.....		84
	Request For Medical Review and/or Drug Screen.....	85
	Information About Hepatitis B Vaccine.....	86
	Hepatitis B Vaccination Consent/Refusal Form.....	87
	Hepatitis B Vaccine Declination.....	88
	Driving Record Authorization Form.....	89
	Waiver for Release of Records.....	90
	Fair Credit Reporting Act Notice.....	91
	Request To Receive Transferred Sick Leave.....	92
	Request To Donate Leave.....	93
	Leave of Absence Request Form.....	94
	Fitness Center Release of Liability Form.....	95
	City of Clarion Work Comp Claim Procedures – All Departments.....	96

CITY OF CLARION

Personnel Policy Manual

ARTICLE I - INTRODUCTION

1.1 Purpose and Intent

The City of Clarion's Personnel Policy Manual describes the official policies and procedures guiding the city's actions with regard to personnel matters. It is intended to guide and direct staffing and personnel management under routine situations. By providing clear policy and procedures, the manual will contribute to a professional working environment in which roles and responsibilities are understood and accepted.

THIS MANUAL DOES NOT CONSTITUTE A CONTRACT OF EMPLOYMENT.

This manual does not constitute or create a contract of employment. Rather, this manual has been prepared to acquaint you with the City of Clarion's employment policies, your responsibilities as an employee, and the many benefits and privileges our employees may enjoy. It is presented as a matter of information only. While the city believes wholeheartedly in the plans, policies and procedures described, it is committed to reviewing them continually, and reserves the right to change or terminate any or all of them at any time.

As a city employee you are employed at-will. As an at-will employee, you retain the right to terminate your employment at any time, for any reason, and the city retains the same right. No policy or practice of the city should be construed to change this relationship. Only the City Council has the right to modify or change this practice, and such action must be in writing.

The personnel policies of the City of Clarion are intended to:

Increase understanding and eliminate need for personal decisions on matters of policy;

Establish and maintain uniform personnel practices for recruitment, classification, changes in employee status, assignment, and employee benefits. It is the responsibility of each and every member of management to administer these policies in a consistent and impartial manner;

Establish and maintain uniform timekeeping and payroll practices with regard to hours worked, deductions, application of adjustments, and to;

Assist in planning for the personnel requirements of current and future city departments.

1.2 Authority – Distribution

The authority to approve personnel policy is vested with the City Council. It is the responsibility of the City Administrator to recommend changes to the Mayor and City Council for approval. The City Council reserves the right to modify or abolish these policies, services, and benefits, and reserves the right to adopt new policies, services, and benefits.

The City Administrator is responsible for the day-to-day administration of the personnel program

and has overall authority and responsibility to administer the city personnel policy.

The Personnel Policy Manual is issued to the department directors, supervisors, and employees as a means of providing a very important personnel tool. It is designed to serve as a source of information that can be looked to with authority and completeness. Upon hire with the City, all regular full and part-time employees shall receive a personal copy of this manual, and all other employees shall have a copy available for their use in their respective department. All employees are required to sign a form stating they have been asked to read the manual, understand its contents, and agree to abide by it. The most current version of the Personnel Policy Manual is maintained at City Hall and accessible to all employees.

1.3 Supplements to the Policy Manual

Procedures and practices in personnel policy are subject to modification and further development in the light of experience. Each staff member can assist in keeping the Personnel Policy Manual up-to-date by notifying the City Administrator whenever problems are encountered, or improvements can be made in the administration of the personnel policies. The City Administrator will then propose any recommended change/s for consideration to the City Council. Revisions to the policies outlined in this manual must be approved by resolution of the City Council. Any procedural changes in the manual must be approved by the City Administrator. The City Administrator will determine what is policy, which requires City Council review, and what is an administrative procedural matter.

From time to time, supplements to this Personnel Policy Manual will be issued. These supplements will update and/or revise present policy and practice whenever it is deemed necessary. All employees are responsible to study the revised supplements carefully prior to placing them in their copy of the Personnel Policy Manual. This manual is in loose-leaf form to allow for these changes and additions. Please be sure to remove old policy statements and procedures when the revised sections are issued.

1.4 Suppression of Previous Personnel Policies

All other previously issued rules and procedures governing city personnel policies are hereby rescinded and superseded by this edition of the Personnel Policy Manual. Nothing in this section will prohibit the City Administrator, department directors, or supervisors from establishing standard operating procedures or protocol for the day-to-day operation of individual departments, provided the procedures are compatible with the Personnel Policy Manual.

1.5 Official Status of the Personnel Policy Manual

The manual shall be the official policy of the City of Clarion and shall be observed by all employees, and elected or appointed municipal officials of the city.

This manual shall apply to all City of Clarion employees. However, whenever the policies, terms, conditions or language of this manual are in conflict with those of a collective bargaining agreement or any other employment contract, the policies, terms, conditions and language of the collective bargaining agreement or employment contract supersede those of this manual.

Departmental rules & regulations of the individual departments of the city are hereby adopted as supplements to this manual. Individual departmental rules and regulations manuals shall be approved by the City Administrator. In the event of conflicting policies between manuals, the

City's Personnel Policy Manual shall have precedence and be the controlling document. This manual and its supplements shall remain in force unless amended by the City Council.

ARTICLE II - DEFINITION OF TERMS

2.1 Definitions

For the purposes of this manual, the following words shall have the meaning indicated:

Accredited Institution - An educational institution accredited by the Higher Learning Commission (HLC). www.ncahlc.org

Affirmative Action - Those actions appropriate to ensure equal employment opportunity and to overcome the effects of past or present practices, policies, or other barriers to equal employment opportunity.

ACA- Affordable Care Act

Anniversary Date - The date from which salary and leave benefits are calculated. For salary purposes, the anniversary date shall be calculated as follows:

- A. For all employees, the salary review and adjustment anniversary date will be July 1st of each year. An employee promoted, transferred, or demoted to another position with the city shall have a revised salary, which will be effective as of the date of the promotion, transfer, or demotion.
- B. For leave purposes, the anniversary date shall be the date of initial regular employment. No credit shall be given for service as a temporary employee when determining an employee's anniversary date for determining leave.

Appointment - The offer of and acceptance of a position either on a regular or temporary basis. An appointment may be withdrawn at any time with or without cause.

City - The City of Clarion, Iowa.

Compensation - The salary, wage, allowance, and all other forms of valuable consideration, earned by or paid to any employee by reason of service in any position, not including any allowance authorized and/or incurred incident to employment.

Compensatory Time-Off – Time off with pay to compensate employees for overtime worked. This time off may be taken at a time that is mutually acceptable to the employee and the employer.

Corrective Action - Imposition of certain personnel action (i.e.: warning, reprimand, suspension, demotion, termination, transfer) as a result of poor performance or personal misconduct with the intent to cause a change in future behavior &/or performance.

Demotion - The assignment of an employee to a position of employment requiring less responsibility or skill and having a lower salary than the former position.

Department Director - An employee who oversees, gives counsel and direction, and evaluates the job performance of their staff.

Disability - The physical or mental condition of a person that constitutes a handicap. It may or may not be related to such person's ability to perform the essential duties of a particular job description without the city experiencing undue hardship in making necessary modifications to meet the needs of the individual.

Discharge - An employer-initiated termination/separation of an employee due either to layoff or termination/separation.

Equal Employment Opportunity - To not allow any personnel decision or action to be unlawfully influenced in any manner by consideration of an individual's race, creed, color, religion, sex, national origin, gender identity, sexual orientation, age, or disability.

Exempt - Exempt employees are those employees who are not subject to the Fair Labor Standards' Act and are compensated on a fixed salary basis, regardless of the number of hours worked. The exemptions are based on job activities, responsibilities, and allowance for time off without reduction in pay. Exempt employees are not eligible for overtime pay or compensatory time.

Fringe Benefits - Employee compensation other than wages, such as, but not limited to: medical insurance, life insurance, holiday pay, vacation, sick/injury leave, IPERS, court leave, emergency leave, military leave, bereavement leave, or deferred compensation.

Full-time Employee - An employee who is scheduled to work a minimum of thirty-two hours per week with a minimum of 1,664 hours per year. A full-time employee may be classified regular or temporary.

Hire Date- The date on which official employment paperwork is filled out by the employee, after an offer and job acceptance has taken place.

Grievance - A dispute between the employer and the employee with regard to the interpretation, application, or violation of any of the express terms and provisions of this manual.

IPERS- Iowa Public Employee Retirement System

Immediate Family - Relatives including husband, wife, children, adopted children, step-children, brother, sister, half-brother, half-sister, step-brother, step-sister, father, mother, father/mother-in-law, son/daughter-in-law, brother/sister-in-law, step-father, step-mother, grandparents, grandchildren, and guardians.

Job Description - A group of specific duties, tasks, and responsibilities grouped and assigned to a position or job classification to be performed by an employee.

Layoff/Reduction in Force - The separation of an employee from the city because of a reduction in workload or funds.

Leave - An approved absence from work as provided by these rules and policies (i.e. sick/injury, vacation, and bereavement leave).

Municipal Officer - City Administrator, City Clerk, Fire Chief, and Police Chief. These municipal officers are considered employees of the city and are governed by the personnel policy manual.

Nonexempt – Non-exempt employees are those employees who are not exempted under the Fair Labor Standards Act.

Paid on Call (POC) Firefighter/Medic - A firefighter or medical personnel who is assigned to be on call to ensure there are sufficient personnel to answer emergency calls during designated time periods. A **POC** may receive regular **hourly pay** for up to **53** hours per week for all fire department activities, but is not considered a regular full-time employee and is not eligible for the benefits of regular full-time employment.

Part-time Employee - An employee who works less than 30 hours per week. A part-time employee may be classified regular or temporary.

Personnel Board – A three-person board consisting of both Council Members serving on the HR committee and the Mayor, whereas the Mayor is the chairperson and has a vote, for a total of three votes.

Probationary Period - The probationary period shall be regarded as an integral part of the evaluation process and shall be utilized for observing the employee's work and for securing the most effective adjustment of the employee to his/her position. During the probationary period, the employee has an opportunity to demonstrate proper attitude and abilities for the position in which he/she is employed.

All regular full-time and regular part-time employees shall be required to serve a probationary period of a minimum of six consecutive months immediately upon appointment, demotion, promotion, or re-employment.

At least ten days prior to the expiration of an employee's probationary period, the employee's supervisor shall make a written recommendation to the City Administrator as to whether an employee is to be placed on regular status. The City Administrator will review the recommendation and determine whether to grant the individual regular status, extend the probationary period, or separate the employee.

City employees, with the exception of those employees governed by the civil service rules, are employed at-will. The existence of a probationary period does not alter the at-will employment relationship. Consistent with the at-will relationship, any non-civil service employee may be removed or discharged from his/her employment with the city at any time, including during the probationary period, for any non-discriminatory reason. An individual discharged during this probationary period has no right of appeal. A person removed or discharged during a probationary period shall, at the time of removal or discharge, be given a notice in writing stating the reason/s for the removal or dismissal. The satisfactory completion of such probationary period shall not alter the at-will employment status of the employee, and shall not be construed as any waiver of the city's absolute right at any time thereafter to remove or discharge any employee at any time, for any non-discriminatory reason, with or without cause.

An employee who successfully completes a probationary period shall receive regular status in his/her classification.

Promotion - The assignment of an employee, by the City Administrator, to a position requiring

greater responsibilities &/or skills than the former position.

Regular Employee - A regular employee is one who is hired for an unspecified term of employment and has completed the probationary period. A regular employee may be employed on either a full-time or part-time basis. For sworn personnel initially hired as uncertified officers, the probationary period shall be extended to commence after successful completion of certification by the State of Iowa. Paid on-call fire/EMS staff are not classified as regular employees.

Resignation - The action taken by an employee ending employment with the city.

Retirement – An employee who resigns from their position and having an active working life after reaching an age at which a pension can be received. Note: The definition of retirement does not include an employee that leaves employment due to a disability.

Seasonal Employee – An employee whose labor is performed on a seasonal basis where, ordinarily, the employment pertains to or is of the kind exclusively performed at certain seasons or periods of the year and which, from its nature, may not be continuous or carried on throughout the year. A worker who moves from one seasonal activity to another may be employed on a seasonal basis even though he/she may continue to be employed during a major portion of the year.

Supervisor – A person who oversees and gives direction to their staff as authorized within the table of organization.

Suspension – A temporary removal of an employee from duty with or without pay.

Sworn Officer- A peace officer working 43 hours a week, or 171 hours per 28 day pay period.

Temporary Employee – An employee hired for a stated term of employment as determined by a specific job assignment/s. Temporary employees are hired for a short period of time on a seasonal, short-term, or emergency basis. They are not entitled to the fringe benefits received by other employees. Temporary employees are at-will employees, in that they can quit or be terminated from employment at any time without progressive discipline or cause.

Transfer – The movement of an employee from one position, by the City Administrator, to another that has the same salary range and level of responsibility.

Volunteer-Paid- A person who meets certain requirements for certifications as required to be a member of the Clarion Fire Department or Clarion Ambulance Service. The person may or may not be paid for on-call time, but is reimbursed for time spent serving in the capacity of a Fire Fighter or Emergency Medical Responder, Technician or Paramedic.

Volunteer- A person who is not an employee, and who donates his or her work and acts at the direction of and within the scope of duties determined by the City of Clarion, and is not paid a fee, salary or other compensation for their work for the City of Clarion.

Workday – An employee's scheduled daily hours of employment.

Workweek – An employee's schedule of work hours within an appointed week.

ARTICLE III – POLICY ON SUPERVISOR-EMPLOYEE RELATIONS

3.1 Framework of Policy on Employee Relations

The Mayor, City Council, department directors, and City Administrator are concerned about the people who work for the City of Clarion. They realize that a great amount of an employee's conscious time is spent at work and that every person needs satisfaction in his/her work to perform the required duties and responsibilities in an effective and efficient manner. This manual shall serve as the framework of the policy on supervisor-employee relations.

3.2 Role of Department Directors and Supervisors

These persons are employees who have been given the authority to direct and control the work of others, and who are responsible for their work output. Each has the responsibility to recommend promotion, transfer, demotion, discipline, or dismissal of any employee under their supervision. Each is a member of the management team and is responsible and obligated to carry out the public and administrative policies of the city.

A department director or supervisor may encounter personnel situations such as poor attitudes among subordinates, a lack of initiative, a lack of concern for the welfare of his/her job or the welfare of others, conflict among employees or with management, employee organizations, etc. It is impossible to give a formula in policy that would work in every given situation. Instead, every department director or supervisor is encouraged to motivate and develop employees in such a manner that the employees realize maximum productive usefulness and great personal satisfaction.

3.3 Responsibilities of Department Directors and Supervisors

Department directors and supervisors are responsible for carrying out the policies of the city; for applying personnel policies; for directing, controlling, training and developing their subordinates; for conserving public funds; and for delivering public services throughout the city in an efficient, responsive and ethical manner. They are directly responsible for their subordinates. It is necessary to delegate responsibility to these individuals along with the authority to carry out these policies to assure achievement of the overall goals of the city.

3.4 Department Directors' and Supervisors' Responsibilities to Administration

There are certain responsibilities of the department directors and supervisors that are categorically under the general, overall administration of the city.

- A. Department directors and supervisors should read this Personnel Policy Manual in its entirety. They should acquaint themselves with all the policies of the city. It will serve as a guidebook in situations where certain challenges arise. It can also provide a "standard" in making good decisions, and it can assist the department director or supervisor who is unsure of a specific procedure required in a given situation.
- B. Since the city's basic employee-management relations are based on fair and equitable personnel policies, it is the department directors' and supervisors' responsibility to execute them in such a manner. Employees will respond better when they are treated fairly and equitably.

- C. It is imperative that a department director or supervisor make all decisions based on rational and good judgment.
- D. The attitude of a department director or supervisor is generally reflected by their subordinates. If a department director or supervisor is unhappy with their job, often a subordinate will also be unhappy with the job.
- E. It is the responsibility of the department director or supervisor to settle grievances at the earliest stages. If there seems to be some job-related problem existing within the department, the department director or supervisor should pay special attention to resolving the problem. Department directors or supervisors must listen to the grievance, show the employee that their coming forth is recognized and then attempt to work out a reasonable solution. If this does not settle the question at hand, then the department director or supervisor should counsel with their immediate supervisor.
- F. Occasionally, some matters need to be discussed privately between department directors or supervisors and other employees, whereby strict confidentiality should be observed.
- G. Employee performance appraisal is another responsibility of the department director or supervisor. For the individual employee, job performance appraisals provide the basis for sound coaching and counseling on how and where to improve job performance. It also provides satisfaction for the basic needs of all employees to feel appreciated and enables the employees to know precisely what their jobs are and how they can improve their performance. It tries to build on the employees' strengths rather than focusing on their weaknesses and provides department directors or supervisors with an excellent method and process for upgrading the quality of their supervision. The program is based on strengthening and building upon the one-to-one relationship that exists between the department director or supervisor and the employee for the purpose of improving the performance of both in a confidential atmosphere of mutual trust and respect.

3.5 Department Directors' & Supervisors' Responsibilities to Subordinates

The department director or supervisor should be a leader who sets an example for others, and should be concerned with the safety, welfare and productivity of her/his staff. A department director or supervisor directs the employees, evaluates, trains, develops, and disciplines them. For these reasons, a department director or supervisor must meet the following responsibilities to the employees under his/her supervision:

- A. Consider each employee as an important individual.
- B. Do a good job of representing the employees to top management.
- C. Make every effort to interpret and explain city policies accurately to the subordinates.
- D. Be an example to all employees.
- E. Praise an employee when he/she does a job exceptionally well. "Praise in public and reprimand in private."

- F. Let the employees know they have every opportunity to develop and improve their skills and earnings.
- G. Evaluate the employees' behavior carefully and objectively. Measure their performance honestly.
- H. Assign an employee to a job according to his/her present skill, ability, and aptitude.
- I. Be considerate, firm, and fair when dealing with employees under his/her supervision.
- J. Assume the responsibility for the actions or the job done by his/her employees.
- K. Learn to know each employee individually. Learn about the employees' individual interests, likes, and dislikes.
- L. Take time to give proper and adequate instruction to new employees and make them feel at home through proper job induction and orientation.
- M. Conduct departmental meetings for briefing and debriefing.
- N. Consider the needs of developing the employees for better efficiency in technical, supervisory, and administrative responsibilities. Department directors and supervisors are responsible for encouraging employees to pursue job-related personal development programs, and where deemed desirable, to recommend financial support in the preparation of the annual budget to cover such costs. It is the department directors' and supervisors' responsibility to see that all employees are not only trained for their own duties as required at the present, but to develop them for advancement.

3.6 Strength and Future Depends Upon Department Directors and Supervisors

Although a department director or supervisor's job may not be related to a production-oriented business, or concerned primarily with profit or loss, it does encompass a greater purpose and greater magnitude. Management is concerned with municipal services rendered within the City of Clarion. The city's work force affects the lives of thousands. It is city policy, therefore, to deliver services to the City of Clarion taxpayers at the highest rate of efficiency and at the lowest possible cost. Consequently, the future and strength of this policy depends largely upon the department directors and supervisors. It depends upon the progress each department director or supervisor makes within his/her department to achieve the goals of the city.

ARTICLE IV – AFFIRMATIVE ACTION, EQUAL EMPLOYMENT OPPORTUNITY, HARASSMENT & SEXUAL HARASSMENT, AND ILLEGAL DRUG INVOLVEMENT

4.1 Affirmative Action/Equal Employment/Hostile Work Environment Policy

The Equal Employment Opportunity/Affirmative Action Policy Plan of the City of Clarion is in accordance with the rules, regulations, and guidelines set forth by federal, state, and local laws. The policy provides for the implementation of the city's policy as it relates to equal employment opportunity and establishes the goal of equal opportunity for individuals regardless of race, creed, color, religion, sex, sexual orientation, gender identity, national origin, age, disability, or any other

classification protected by law, with respect to the terms, benefits, and conditions of employment.

It is the policy of the government of the City of Clarion to provide equal opportunity to all employees, applicants, and program beneficiaries; to provide equal opportunity for advancement of employees; to provide program and employment facilities which are accessible to the disabled; and to administer its programs in a manner which does not discriminate against any employee, applicant for employment, or any program beneficiary.

The city has the ultimate responsibility for the overall administration of the Equal Employment Opportunity/Affirmative Action Policy. This includes responsibility for integrating equal opportunity into all parts of personnel and program management; reviewing all policies and procedures as they affect equal opportunity and affirmative action; and ensuring compliance with relevant federal and state statutes.

The City is responsible for adhering to Title I of the ADA and amendments thereto requiring an employer to provide "reasonable accommodation" to qualified individuals with disabilities who are employees or applicants for employment, unless such accommodation would cause the employer an "undue hardship." The law requires reasonable accommodations so that employees with disabilities can enjoy the "benefits and privileges of employment" equal to those enjoyed by similarly situated employees without disabilities.

Failure of any employee to perform in a manner consistent with this policy will constitute grounds for reprimand, suspension, demotion, or dismissal from city employment as deemed appropriate.

The city prohibits discrimination in its employment. Discrimination consists of any practice or behavior that has a negative effect on an individual or group, resulting from unequal or unfair treatment based upon an individual or groups' race, color, religion, age, sex, sexual orientation, gender identity or expression, national origin, geographic background, disability, or any other classification protected by applicable law.

Harassment is a form of discrimination. Harassment is any unwelcome conduct interfering with work performance or creating an intimidating, hostile or offensive working environment. Sexual harassment is unwelcome conduct based on sex, whether directed towards a person of the same or opposite sex. Examples are sexual advances, requests for sexual favors and other unwelcome conduct of a sexual nature.

4.2 Harassment

Harassment consists of unwelcome conduct, whether verbal, physical, or visual, that is based upon a person's or group of individuals' protected status under the law, including: sex, religion, physical or mental disability, race, national origin, sexual orientation, gender identity, color, age, and other protected status or activity.

The City will not tolerate harassing conduct that affects tangible job benefits, that interferes unreasonably with an individual's work performance, or that creates an intimidating, hostile, or offensive working environment. Examples of harassment that violate this policy include:

- jokes or ridicule about another person's or group's protected status,
- treating someone or a group of individuals differently because of their protected status, and
- kidding, teasing, or practical jokes directed at a person or group of individuals based on their protected status.

4.3 Sexual Harassment

Sexual harassment is misconduct based on sex, whether directed towards a person of the same or opposite sex. Unwelcome sexual advances, requests for sexual favors, and other physical, verbal, or visual conduct based on sex constitute sexual harassment when:

- submission to the conduct is an explicit or implicit term or condition of employment,
- submission to or rejection of the conduct is used as the basis for an employment decision, or
- the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of sexual harassment include but not limited to:

- explicit sexual propositions, sexual innuendo, or suggestive comments,
- sexually oriented kidding, teasing, gestures, or practical jokes,
- sexually suggestive or offensive printed or visual material such as posters, tee shirts, cartoons, flyers, magazines, e-mail, Internet sites, and
- physical contact such as pinching, stroking, or intentionally brushing against another person's body.

Discrimination or harassment may result from either intentional or un-intentional acts and may be verbal, physical, or visual. A hostile work environment is present when unwelcome conduct, sexual or otherwise, occurs. It is present when submission to sexual conduct is the basis for an employment decision or a condition of employment.

Working together, we can maintain a positive and productive business environment that supports individual dignity and is free from harassment or other forms of discrimination.

4.4 Policy

Discrimination or harassment by any supervisor, manager, coworker, supplier, customer, or visitor of the City of any employee, group of employees, or other individuals interacting with the City is a violation of this policy and is therefore prohibited.

Retaliation against any employee for reporting an incident under this policy or for participating in any investigation regarding an incident is a violation of this policy and is therefore prohibited.

A. Compliance

All employees of the City are responsible for creating a working environment that is free from discrimination and harassment. All employees must fully support and comply with this policy. Employees are expected and encouraged to report and to participate in the resolution of complaints of discrimination, harassment or retaliation.

Supervisors and managers have an additional responsibility. If a supervisor or manager is informed about or observes conduct which may violate this policy, they must contact a representative of Human Resources Committee to obtain assistance in ensuring that the conduct is appropriately addressed.

B. Non-Compliance

The method of investigation will be tailored to the circumstances surrounding the alleged offense. Upon receiving notice of an alleged violation, management will investigate the allegation. The investigation will be completed in a timely fashion. The individual who made

the complaint will be informed of the outcome of the investigation. Management will treat the complaint, the identity of complainants and witnesses, and the terms of resolution as confidential.

If an investigation confirms that a violation of the policy has occurred, then disciplinary action will be taken. All disciplinary action will depend on the facts and circumstances of the situation and must be applied according to the specific country's disciplinary policy and laws.

4.5 Reporting Violations

Management must be notified if an employee believes that they have experienced or witnessed discrimination, harassment or retaliation. Any employee witnessing a harassment violation of this policy should inform the offender that the offender is engaging in harassing conduct and that it should be stopped. If the employee is not comfortable telling the offender to stop, or if the harassing conduct continues, then management must be notified.

To notify management, contact your supervisor. If this is not appropriate under the circumstances, then notify your supervisor's supervisor or a representative of the Human Resources Committee.

4.6 Policy for Drug and Alcohol-Free Workplace

I. STATEMENT OF PURPOSE

The City of Clarion recognizes the problems of substance abuse in society and in the workplace. Substance abuse poses a serious threat to our staff, customers, and property. By enacting a substance abuse policy and program, we hope to combat the problems associated with substance abuse by creating a drug and alcohol-free workplace.

Our substance abuse policy seeks to balance our respect for individual privacy with our need to keep a safe, productive, drug and alcohol-free environment. Our intention is to prevent substance abuse and promote its treatment. We encourage those who use drugs or who abuse alcohol to seek help in overcoming their problem.

With these basic objectives in mind, the City of Clarion has established the following program and policies for a drug and alcohol-free workplace.

WHILE THE CITY BELIEVES WHOLEHARTEDLY IN THE PLANS, POLICIES, AND PROCEDURES DESCRIBED, IT IS COMMITTED TO REVIEWING THEM CONTINUALLY, AND RESERVES THE RIGHT TO CHANGE, TO TERMINATE OR TO DEVIATE FROM THEM AT ANY TIME. NOTHING IN THIS PROGRAM IS INTENDED, NOR SHOULD IT BE CONSTRUED, AS REQUIRING "CAUSE" FOR TERMINATION OR OTHERWISE ALTERING THE AT-WILL NATURE OF THE EMPLOYMENT RELATIONSHIP.

II. DEFINITIONS

- A. "Abuse of alcohol or a legal drug": Any use of alcohol or a legal drug which impairs an individual's faculties (other than use of a legal drug for appropriate purposes in accordance with applicable medical directions).

- B. "Alcohol": Ethanol, isopropanol, or methanol
- C. "Drug": Any drug or substance defined as a controlled substance and included in schedule I, II, III, IV, or V under the federal controlled Substance Act, 21 U.S.C. 801 et seq.
- D. "Legal Drug": A drug for which there is a valid prescription, or over-the-counter drug.
- E. "Prospective employee": A person who has made application, whether written or oral, to our City to become an employee.
- F. "Sample": A sample from the human body capable of revealing metabolites, such as urine, saliva, or skin. "Sample" does not include blood, except in situations where a blood test was made on an employee involved in a workplace accident if the test was administered by or at the direction of a person providing treatment to the employee and the test was not made at the request of or by the suggestion of the employer.

III. WORK RULES

A. Legal Drugs

1. **Prescription Drugs.** An employee may bring to work and take a prescription drug during work hours only if the drug has been prescribed for the employee by a physician or other authorized prescriber (such as a dentist) and only if the drug is taken in accordance with the prescriber's directions.
2. **Over-the-counter Drugs.** An employee may bring to work and take an over-the counter drug during work hours only if the drug is used for its intended purpose and in accordance with package directions and any supplemental direction of the employee's physician.
3. **Impairment from Using Lawful Drugs.** An employee using prescription or over-the counter drugs while working must rely on the warnings or cautions that are received with the particular drug. If the individual has an indication that the drug may affect performance, or there is a caution that one should not engage in certain activities which are part of the employee's job duties while taking the drug, the individual must refrain from taking the drug while on the job, or not work while taking the particular drug. The City of Clarion reserves the right to take appropriate action (including relieving the employee from work) if the use of a lawful drug is impairing or is deemed likely to impair the employee's faculties or work performance.
4. **Abuse.** Abuse of legal drugs will not be tolerated, and will be dealt within the same manner as the use of a controlled substance.

B. Alcohol or Drug Possession, Transfer or Use, Other than Use Detected by a Drug or Alcohol Test

1. Drug or Alcohol Possession; Except as otherwise provided in Rule III-A above, an employee bringing or attempting to bring onto the City's premises or property, or to a City worksite, having possession or, using, consuming, selling, transferring, or attempting to sell or transfer, any alcoholic beverage or any prescription drug or any form of controlled substance while on City business or at any time during the hours between the beginning and ending of the employee's work day, whether or not on duty, and whether or not on City business or property, is guilty of misconduct and is subject to discipline including discharge or suspension without pay, even for the first offense.

2. Conviction of Drug Offenses; Any employee convicted for possession, use, sale of controlled substances, or pleading guilty or no-contest to any illegal drug related offense will be subject to immediate discharge.

C. Impairment during work Hours

1. It is our intent that an employee whose faculties appear to be impaired during work hours will not be allowed to work, regardless of the cause.

2. An employee whose faculties are impaired during work hours due to the effects of the use of alcohol or illegal use of a controlled substance (including the abuse of a legal drug) is subject to discipline, including termination, even for the first offense. However, if a drug or alcohol test is done, discipline will be imposed only in accordance with Rule III-E below.

D. Prospective Employee Discipline in connection With a Drug Test

Prospective employees shall be required to undergo a drug test under certain circumstances. A prospective employee's positive drug test result, or the refusal of the prospective employee to provide a testing sample, will result in the City's refusal to hire the prospective employee. This does not prevent the prospective employee from later initiating another inquiry with the City.

E. Employee Discipline in Connection with a Drug or Alcohol Test

Employees may be required to undergo a drug or alcohol test under certain circumstances (see "Active Employee Substance Abuse Program" below). Any action taken against the employee is based only on the results of the drug or alcohol test. The following is a list of **uniform** requirements for what action the City will take against the employee upon receipt of a confirmed positive drug (or alcohol) test result, or upon the employee's refusal to submit to such test:

1. Refusal to Submit to a Drug or Alcohol Test. An employee's refusal to submit to a drug or alcohol test when requested to do so shall result in termination.

2. First Positive Drug Test Result. An employee's first confirmed positive drug test shall result in termination. Additionally, an individual admitting to

current drug use, or that uses any method to adulterate or alter test results, shall result in termination.

3. First Positive Alcohol Test Result; If the first confirmed positive test is for alcohol between .04 and .08 BAC (blood alcohol content) it will result in the City's requirement that the employee enroll in an approved rehabilitation, treatment or counseling program. If the employee participates in and successfully completes the program, the employee will not be subjected to further discipline based on the results of such drug test. However, failure to comply with these requirements may result in discipline, up to and including termination.

If rehabilitation is required, the City shall not take any adverse employment action against the employee so long as the employee complies with the requirements of rehabilitation, and successfully completes rehabilitation.

Any employee showing signs of intoxication, or admitting to current alcohol use while on City premises, engaged in City business, or while operating City equipment, will be drug tested. A second positive test result will result in immediate discharge.

The employee's first confirmed positive test for alcohol above .08 BAC (blood alcohol content) may result in discipline, up to and including termination.

4. Pre-Result Suspension; Prior to the City receiving the results of the employee's reasonable suspicion test, the employee's employment with the City will be suspended without pay, pending the outcome of the test. If the result of the test does not violate the terms of the written policy, the employee will be reinstated with back pay, as provided in Iowa Code 730.5 (10) (b).

4.7. Drug and Alcohol Testing Programs

A. Pre-Employment Substance Abuse Screening Program

1. Drug Testing. The City will conduct pre-employment drug tests designed to prevent hiring individuals who use controlled substances or who abuse legal drugs.

To the extent feasible, all precautions will be taken to ensure that the testing only measure, and the records concerning the testing only make use of information regarding drugs in the body. The following is a list of drugs for which testing will be conducted:

- Marijuana
- Cocaine
- Opiates (including morphine and codeine)
- Phencyclidine
- Amphetamines

B. Employee Substance Abuse Screening Program

An active employee may be requested or required to submit to a drug or alcohol test under any of the following circumstances:

1. **Reasonable Suspicion.** A specific active employee may be required to submit to a drug or alcohol test if the City has evidence that an employee is using or has used alcohol or drugs in violation of the City's written policy. This evidence must be drawn from specific objective and clear facts and reasonable inferences drawn from those facts in light of experience. Examples that might support such are:

- Observations made at work, such as direct observation of alcohol or drug use, or the physical symptoms or being impaired by alcohol or drug use.
- Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
- A report by a reliable and credible source of alcohol or drug use.
- Evidence that an individual has tampered with any alcohol or drug test during the individual's employment with the current employer.
- Evidence that an employee has caused an accident resulting in personal injury **other than minor injuries requiring only first aid treatment** and which do not involve medical treatment, loss of consciousness, restriction of work or motion, or transfer to another job, or property damage of \$1000 or more.
- Evidence that an employee has manufactured, sold, distributed, solicited, possessed, used or transferred drugs while working, or while on the employer's premises, or while operating the employer's vehicle, machinery or equipment.

2. **Alcohol Testing;** The City has determined to conduct alcohol testing in an attempt to prevent employees from abusing alcohol. An alcohol concentration level of .04 or higher, expressed in terms of grams of alcohol per two hundred ten liters of breath, or its equivalent, is considered a positive alcohol test and violates this policy.

3. **Drug Testing;** The City has determined to conduct controlled substance, or "drug" testing in an attempt to discourage and prevent employees from illegally using drugs, be it the use of an illegal drug or the abuse of a legal drug. To the extent feasible, all precautions will be taken to ensure that the testing only measure, and the records concerning the testing only make use of information regarding drugs in the body. The following is a list of drugs for which testing will occur:

- Marijuana
- Cocaine
- Opiates (including morphine and codeine)
- Phencyclidine

- Amphetamines

4. **Test Scheduling;** Drug and alcohol testing shall normally occur during, or immediately before or after, a regular work period. The time required for testing, including travel time, is considered work time for purposes of the FLSA, compensation and benefits.

V. EMPLOYEE ASSISTANCE SERVICES

This City is aware that many personal or health problems can and do interfere with an employee's ability to perform on the job. These problems may include emotional and mental disorders, family and marital difficulties, abuse of alcohol or drugs, etc.

Employees whose job performance problems are not related to a lack of skill and who do not respond satisfactorily to the usual disciplinary procedures may be in need of the attention of professionals. With proper treatment, many troubled employees can be restored to a satisfactory level of job performance. However, if the underlying problems of a situation are ignored, they may worsen with time, eventually rendering the person unemployable.

To assist our employees in time of need, a professional employee assistance program is provided by the City of Clarion for full time employees, and also information on all other assistance programs available in the area. The following service and information are available to any full time employee upon request:

- The City of Pleasant Hill will provide information about the existence of a resource file to all employees. A summary of the information contained in the resources file will be available to all employees.

In addition to the information in the resource file, notices will be posted in conspicuous places listing "multiple employee assistance providers in the area."

VI. MISCELLANEOUS

1. As with all health-related information, the department director and City Administrator will keep all testing and/or treatment information as confidential as possible.
2. Employees who come forward and seek the city's assistance in the treatment of alcohol and/or drug and substance abuse-related problems, prior to action initiated by the city to test the employee for drugs or alcohol based on a reasonable suspicion, shall be offered every assistance at the city's disposal.
3. Nothing contained in this policy shall in any way grant an employee immunity from disciplinary action, up to and including termination, for any violation of a city work rule, policy, or practice.
4. The city reserves the right to change, add, or delete any or all of these provisions at any time in the future.
5. All costs related to drug and alcohol testing will be borne by the city. All costs related to rehabilitation or treatment will be borne by the employee, subject to applicable health insurance benefits.

ARTICLE V – EMPLOYMENT PRACTICES (Recruitment-Selection-Placement)

5.1 Employment Opportunity

It is the policy of the City of Clarion to provide equal opportunity in employment without regard to race, creed, color, religion, sex, sexual orientation, gender identity, national origin, age, or disability.

State or federal law shall take precedent over this policy manual in the event that a conflict between municipal and state or federal law occurs. Ordinances of the city shall supersede this policy manual in the event that a conflict occurs. Nothing in these policies and procedures shall be construed to interfere with or supersede civil service rules and procedures that govern police officers.

Any applicant presenting a false statement of material facts, attempting deception or fraud in his/her application, shall be rejected for the position for which he or she is applying. If a material misrepresentation is found after the hire date, the employee may be subject to termination.

5.2 Genetic Information Nondiscrimination Act

The City complies with Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA), which protects applicants and employees from discrimination based on genetic information in hiring, promotion, termination, pay, fringe benefits, and all other terms and conditions of employment. "Genetic information" includes information about genetic tests of applicants, employees or their family members; the manifestation of diseases and disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.

In accordance with GINA, the City does not intentionally collect, maintain or use genetic information about applicants or employees or their family members in any decision concerning whether to hire an applicant or the terms, conditions or any aspect of employment of an employee. GINA permits certain limited circumstances under which an employer may acquire genetic information, such as:

- inadvertently obtaining the information;
- acquiring genetic information in connection with a wellness program and certain privacy precautions are taken;
- requiring family medical history in compliance with Family and Medical Leave Act (FMLA) certification provisions;
- acquiring the information through publicly available documents containing family medical history information;
- conducting genetic monitoring of biological effects of toxic substances in the workplace and certain privacy precautions are taken; or
- providing DNA analysis services for law enforcement and the information is necessary to rule out employee sample contamination.

Any genetic information collected in connection with the approved circumstances outlined above will be maintained in the same type of separate confidential files required for medical information under the Americans with Disabilities Act. Genetic information may not be disclosed without employee consent except in very limited circumstances.

If you believe or suspect the City has acquired, disclosed or used genetic information in violation of GINA, or has otherwise discriminated against any applicant or employee on the basis of genetic information, promptly report the suspected violation to your supervisor, department or division manager, or the Human Resources Department. There is no need to follow any formal chain of command when filing a complaint or when discussing or expressing any issue of concern regarding an alleged violation of GINA or alleged discrimination on the basis of genetic information. You may bypass anyone in your direct chain of command and file your complaint or discuss or express any issue of concern with the Human Resources Department at any time.

The City prohibits any form of retaliation against any employee for filing a complaint under this policy or for assisting or participating in a complaint investigation. Violation of this anti-retaliation policy will result in disciplinary action against the offending employee, up to and including possible termination of employment.

5.3 Citizenship and Residence

- A. **General Personnel.** For general personnel, United States citizenship is not an absolute requisite for city employment. However, aliens must show proof of eligibility for employment while in the United States.
- B. **Sworn Personnel.** United States citizenship is required of all applicants for full and part-time sworn positions within the police department.
- C. **Residency Requirements.** The City Administrator, Public Works Director, Fire Chief, and Police Chief shall reside within 10 miles or 10 minutes under normal driving conditions, whichever is less, of the City of Clarion within six months of the date of hire. An extension of six months may be granted by the Council if determined necessary. All other exceptions are to be approved by the Council.

The city reserves the right to further restrict residence requirements based on the nature of the position and its impact on the welfare of citizens.

5.4 Recruitment & Hiring Process

The city's recruitment and hiring policy is to recruit and employ qualified applicants. Employee application procedures for open positions will comply with state veteran's preference statutes and will also adhere to the following process:

- A. An open position announcement will be available to all employees by posting the notice for at least ten days. At the City Administrator's discretion, recruiting from outside the existing staff may proceed simultaneously, thereafter all applicants will then be jointly processed according to established recruiting procedures.

- B. Any member of the current staff who possesses at least the minimum qualifications required for the vacant position and has given satisfactory service to the city may apply for appointment to the vacant position.
- C. Existing employees wishing to apply for the vacancy shall file an application with the City Administrator or as indicated on the position announcement.
- D. Each employee applicant will be reviewed in accordance with the selection procedures applying to all applicants.
- E. Recruitment activities will be used that are designed to reach and attract job candidates from all sources.
- F. Preference will be given to existing employee candidates when their qualifications are equal to or greater than those of outside applicants.
- G. At the City Administrator's discretion, a current employee may be promoted to an open position without advertising or posting the opening.
- H. In the event of extenuating circumstances, where the usual recruitment process would pose a hardship, the City Administrator may recruit a qualified candidate for a position without advertisement of the opening.

Advertisements for positions may be published in the City's designated official newspaper and in other publications or media as deemed appropriate by the City Administrator or City Council.

In cases where individuals have been recommended as potential candidates for employment, such persons will be given the same consideration as any other applicant - no more, no less.

5.5 Selection

The appropriate department director and the City Administrator shall determine who is the best qualified applicant from those interviewed for a position based upon a written rating of experience and education, job-related performance test, if applicable, oral interviews, background check, or any combination thereof, which is appropriate for the position being filled. These measurement criteria shall relate to those matters that will fairly test the capacity and fitness of the applicant to perform the duties of the position. Selection for employment shall be based solely on the basis of experience, competency, training, and other qualifications as outlined in the job description and will conform to the city's equal employment opportunity policy.

5.6 Veterans' Preference

The city will comply with the applicable provisions of the Code of Iowa concerning veterans' preference. The Personnel Board shall be responsible for actions under these provisions to the extent provided by Chapter 35C of the Code of Iowa.

5.7 Examination and Background Checks

At the city's expense, all new prospective regular full-time, regular part-time and paid-on-call employees must satisfactorily pass a medical examination and drug screen before hiring is

finalized. Prospective employees may also be required to satisfactorily pass a Physical Capacity Profile (PCP) test. PCPs shall be dictated in job postings and descriptions, and may differ between each position. Physical examinations and PCP testing will be conducted post-conditional offer of employment and will be conducted by a physician designated by the City of Clarion, unless otherwise approved by the City Administrator. Results of the examination, as well as other pertinent information, shall be documented and provided to the city.

Additionally, for all new prospective regular full and part-time employees the city will complete at its expense a complete criminal background check, and driving record check. Drivers subject to mandatory recurring DOT testing shall do so at the expense of the city. For all new prospective temporary and seasonal part time employees the checks will be optional. For employment purposes and with written consent, the City of Clarion may obtain various consumer reports about prospective employees from one or more consumer reporting agencies. A consumer report, including a credit history report, may also include information regarding the prospective employee's character, general reputation, personal characteristics, and mode of living, and it may be used in determining eligibility for employment. Background checks, driving record checks, and consumer reports shall not be ordered for minors unless directed by the City Administrator and consent is provided by a parent/guardian. **(Pre-employment forms—See Appendix)**

5.8 Employment of Relatives

The City of Clarion wants to ensure that City practices do not create situations such as conflict of interest or favoritism. This extends to practices that involve employee hiring, promotion and transfer. Close relatives, partners, those in a dating relationship, and members of the same household are not permitted to be in positions that have a reporting responsibility to each other. Close relatives are defined as husband, wife, domestic partner, father, mother, father-in-law, mother-in-law, grandfather, grandmother, grandson, granddaughter, son, son-in-law, daughter, daughter-in-law, uncle, aunt, nephew, niece, brother, sister, brother-in-law, sister-in-law, step relatives, half relatives, first cousins and close relatives of domestic partners.

If an employee begins a dating relationship, or becomes a relative, partner or member of the same household with an employee who is in a supervisory position to the employee, that employee is required to inform his/her supervisor and the City Administrator of the relationship.

The City of Clarion reserves the right to apply this policy to situations where there is a conflict or the potential for conflict because of the relationship between employees, even if there is no direct-reporting relationship or authority involved. Exceptions to this policy may be granted by the City Administrator for temporary or seasonal employees, or the mayor if the City Administrator has a conflict of interest. All other exceptions to this policy require review by the Personnel Board and approval by the Council.

5.9 Oral and Written Examinations

As a tool in evaluating an applicant, certain oral and/or written examinations may be required. The subject matter for these tests will ensure the degree to which candidates have identifiable characteristics that have been determined to be important for successful performance of the job applied for.

5.10 Classification of Employment

All employees shall be recommended by the appropriate department director and hired at the discretion of the City Administrator unless otherwise directed by an ordinance.

Classification Categories: All employees, exempt or non-exempt, at the time of hiring will be advised of their classification into one of the following categories:

- Regular Full-time..... (RF)
- Regular Part-time.....(RP)
- Temporary (Seasonal) Full-time.....(TF)
- Temporary (Seasonal) Part-time.....(TP)
- Full-time Equivalent..... (FTE)
- Sworn Officers.....(SO)

An employee's classification, working hours, and benefits depend on the job requirements of the employee's job and whether the employee is a regular or temporary employee, full-time or part-time, or an exempt or non-exempt employee. If an employee is promoted, transferred, or demoted, his/her classification, working hours, and benefits may change.

The city classification plan shall consist of classifications and titles as approved and adopted by the City Council. The City Administrator shall be responsible for administering and updating the plan and making assignments to appropriate classifications based upon an individual's duties and responsibilities.

Newly appointed employees will normally be hired at the minimum entry pay level approved annually for each position. Appointments may be made above the minimum pay level based upon the individual's qualifications, experience, approval of the City Administrator, and subject to council approval.

Pay levels and classifications are established for positions within the city. The minimum pay levels established are subject to update upon recommendation by the City Administrator and approval by the City Council. The recommended salary and wage increases generally will be submitted to the City Council for approval within sixty days prior to implementation of the new fiscal budget period beginning July 1 of each year. Pay periods are bi-weekly totaling 26 pay periods per year. To determine gross bi-weekly pay, divide the annual wage by 26. In the event of a year with 27 pay periods, see Section 8.6.

5.11 Foreign Language Cash Incentive

Reserved.

5.12 Other Non-Exempt Staff

The regular fulltime salaries and wages for these positions will generally be computed on a basis of forty hours per week or a total of 2,080 hours per work year. Overtime hours will be computed on a basis of a 40-hour work week. Overtime hours will be computed on the basis of regular hourly wage plus one-half the regular hourly wage. The workday includes hours worked, approved time off, vacation, holiday's, and compensatory leave.

The public works and parks department operations specialists will be required to be on-call on a

regular basis. Operations specialists will be assigned to rotating shifts for on-call purposes. Normally, the operations specialists will be scheduled to be on-call for seven consecutive days beginning on Mondays at the start of the business day and continuing through the following Monday at the start of the business day. If the operations specialists who are on-call are called out for duty during their seven-day shift, they will be relieved from their on-call status and the next group of operations specialists will be on-call. The operations specialists remain on-call until they are either called out for duty or until they complete the shift in which they are currently assigned, which would normally end the following Monday at the start of the business day. In situations; however, where the operations specialists who are on-call are called out for duty after midnight on a Saturday, the next shift of operations specialists who are now on-call will remain on-call until they are called out for duty or until the start of the business day of the second Monday following the beginning of their shift.

Operations specialists who are on-call must carry a radio with them at all times when they are not at home. The radios to be used for this purpose will be furnished by the city. Operations specialists may also use personal cell phones or pagers for call-out purposes at their own expense. When there is a threat of inclement weather (meaning a forecast of any threat of snow and/or ice accumulation or possible re-freeze conditions), the operations specialists who are on-call must remain within 30 miles with a driving time of no more than 30 minutes under normal driving conditions of the city's maintenance facility, so they are available to respond to calls. When no threat of inclement weather exists, operations specialists who are on call are under no geographic or time restrictions so long as they are accessible by radio, phone, pager, or otherwise, in case of an emergency. Failing to be accessible while on-call, within the guidelines set forth in this policy, will be considered a violation of this policy and may subject the operations specialist to discipline.

Public works and parks employees, in emergency situations, may be directed to go home and rest after 12 hours of continuous work. Employees may be called back after 8 hours off. Employees directed to go home after a minimum of 12 hours of continuous work or directed to go home in order to return later due to emergency work only, will be paid for their normal 8-hour workday.

During the designated snow season, public works and parks employees may request to be "not available for call-out" during snow removal operations within any 24-hour period, 7 days a week. The department director will determine the number of operation specialists that may be "not available" at any given time. Notice must be given within three working days of the time requested and must be approved by the appropriate department director or supervisor. Time spent on-call is not considered hours worked and will not be paid time. Operations specialists will be paid for any time they are called out for duty.

5.13 Salaried Employees

The Council shall establish by ordinance or resolution which positions are salary-exempt. For such positions, bi-weekly payroll checks shall be computed so 26 equal payments are made to the individual annually as approved by the City Council upon recommendation of the City Administrator. In the event of a year with 27 pay periods, see Section 8.6. In the event the salary must be prorated; the pro-rata computation shall be based upon a per-day basis using a five-day workweek as the standard.

5.14 The "Workday"

Department directors shall establish, with the approval of the City Administrator, the working schedules for their departments. For all regular employees, a normal workweek shall begin at 12:01 a.m. Sunday and end Saturday at midnight. Exceptions will be made for services that are on continual call. Established work hours are not a guarantee for the hours specified. It is an essential job function for all staff to have regular attendance.

If, due to an emergency or weekend duty, a full-time employee is called to work during traditionally off-work hours, the employee will be paid for a minimum of (2) two hours of work. If this emergency call lasts longer than two hours, regular pay policies apply. If an additional call-out is required within the same two-hour period, additional time will not be paid except for that actually worked in excess of the two-hour minimum. If an additional call-out occurs after the initial two-hour period, an additional two-hour period begins again.

5.15 Attendance at Meetings

Any city employee other than the City Administrator, Police Chief, Director of Public Works, department directors, or other salaried employees whose presence is required at a meeting of the City Council or any board, commission, or committee of the city which occurs outside of regular working hours, shall be reimbursed a minimum of two hours of work, for time spent at such meeting/s at a rate equal to one and one-half of their regular hourly rate.

5.16 Compensatory Time for Payment of Overtime

Regular Full-Time Employee - Regular, full-time, non-exempt employees may accumulate and use compensatory time. The maximum compensatory hours to be saved at any time will be (40) forty hours (26.67 hours worked). Employees may accumulate hours, use hours as time off, and accumulate more compensatory time, as long as, the balance of hours accumulated remains at or below (40) forty hours. Employees are allowed to roll the hours from one fiscal year to the next, but never exceed (40) forty hours saved at one time. Any compensatory hours rolled over to the following fiscal year must be used as time off, unless the employee is terminated, retires, or quits. In that case, the hours of compensatory time will be paid at the current rate of pay.

5.17 Official Personnel Files

The City Clerk's office shall be responsible for maintaining the official personnel file for each employee. These files shall be confidential and shall contain the complete history of each employee during employment by the city. Each file shall consist of, but is not limited to: inventory of contents, commendations, reprimands, performance evaluations, promotion, transfer, accidents or damage involving city property, employment application and education, or special training received at city expense.

Employees have the following rights as they pertain to their own personnel file. The right to:

- A. Have access to the file at any reasonable time and with proper supervision;
- B. Have a copy of items placed in his/her personnel file;

- C. Have the opportunity to respond to unfavorable information;
- D. Know how information is being used internally, and;
- E. Reasonable precautions, assuring the employee that the information will not be misused.

An employee shall not have access to employment references written for the employee. Employees may examine their personnel files and obtain copies of its contents by contacting the City Administrator. Appointments for reviewing an employee personnel file will be set at a date and time that is reasonable and convenient for both the employee and the City Administrator or his/her representative. Requests for such examination shall be in writing and the examination shall be in the presence of the City Administrator or his/her representative. Any and all copies made for the employee shall have each page marked "copy." The City Administrator's office may assess a reasonable fee for copies provided. Civil service statutes shall govern the personnel files of police officers.

The employee shall sign a form stating the date and time he/she began to examine the personnel file, and the time when the file was returned to the City Clerk. At no time can the personnel file be removed from the city hall except with express written permission from the City Administrator. No employee or former employee is to be allowed to remove or alter the contents of any file.

5.18 Records

The city shall maintain original copies of service records for each employee through the City Clerk's office. The service record will indicate the individual's name, title of position held, the department to which assigned, salary history, changes in employee status, and other pertinent information. Each employee shall promptly report all changes of name, address, and telephone number to the City Clerk and the employee's department director.

Any temporary or permanent change in the employment status of an employee shall be reported by the department director to the City Clerk and City Administrator.

All employee personnel records shall be kept and maintained in accordance with State law. Employment applications for persons who have not been hired must be retained for a period of one year.

5.19 References

Only the City Administrator or his/her designee is authorized to release information regarding job references.

ARTICLE VI – EMPLOYMENT STATUS

6.1 Probationary Period

See definitions.

6.2 Promotion / Transfer

Vacant job openings will be posted in each department for at least 10 business days, in addition to any public advertisement of the vacancy that may be placed. All qualified employees wishing to apply for the vacancy shall file an application with the City Administrator or as indicated on the posting. All applicants will then be jointly processed according to established selection procedures as indicated in this manual.

A promotion/transfer shall be treated the same way as a new appointment insofar as it is necessary to successfully complete the probationary period. If the promoted employee does not complete the probationary period successfully, he/she may be reinstated in his/her former position at the last held status, if the position is available.

The time period for returning an employee to his/her previous position may be extended up to an additional six months provided, such action is approved by the department director and the City Administrator.

An employee who is returned to his/her previous position shall receive a reduction in pay equivalent to the increase received at the time of promotion.

6.3 Re-employment

All former employees are considered new hires and have no accumulated rights or benefits from previous employment.

6.4 Resignations

It is the responsibility of an employee who plans to resign to notify his/her department director or the City Administrator in writing in advance as follows:

- A. At least two calendar weeks' notice for all regular employees.
- B. At least one calendar week notice for all temporary employees.
- C. At least four calendar weeks' notice for the position of department supervisor, department director, appointed position, or above.

6.5 Reduction in Force

If and when it becomes necessary to reduce the number of employees because of a shortage of work or limitation of funds, layoff of employees will be accomplished with due consideration to status, length of service, work quality, performance evaluations, and Civil Service mandates on seniority.

ARTICLE VII – WORK CONDITIONS

7.1 Workplace Violence Policy

It is the intent of the City of Clarion that threats, threatening behavior, and acts of violence against employees, or by employees, or other individuals, will not be tolerated. The City will take all threats seriously. It is the City's goal to eliminate violent behavior or the threat of such behavior involving employees. The prevention, reporting, and management of critical incidents are shared responsibilities of all employees to work toward the elimination of violence in the workplace. This is a zero-tolerance policy meaning the City disciplines or terminates every employee found to have violated this policy.

Violence or the threat of violence, by or against any employee of the City, or any other person, is strictly prohibited. The prohibited action will subject the perpetrator, if an employee, to serious disciplinary action up to and including termination of employment, and in all cases, possible criminal prosecution.

The possession of firearms or dangerous weapons (as defined in *Iowa Code* §702.7 to include, but not limited to, any offensive weapon, pistol, revolver, or other firearm, dagger, razor, stiletto, switchblade knife, or knife having a blade exceeding five inches in length) while on City property, in a City facility or vehicle is strictly prohibited unless advanced permission is obtained from the employee's Department Director. Upon granting permission for the possession of firearms or dangerous weapons while on City property, the Department Director shall communicate their decision in writing to the City Administrator and a copy of the written communication shall be placed in the employee's permanent personnel file. Employees violating this policy will be terminated.

This policy does not apply to Police Officers or other employees who may be operating within the normal scope of their official duties and using such weapons as tools of their profession.

7.2 Smoke Free Workplace

To maintain a safe and comfortable working environment and to ensure compliance with Iowa's Smoke Free Air Act, Iowa Code Chapter 142D, smoking in any City offices, facilities, grounds of public buildings, and City vehicles is strictly prohibited. Because the City may be subject to criminal and civil penalties for violations of the applicable smoking law, we must insist on strict adherence to this policy. An employee's failure to abide by this policy and State law may subject the employee to disciplinary action, up to and including discharge from employment.

Complaints about violations of this policy may be filed under the City's complaint resolution procedure or may be brought directly to City Administration. No employee will face any discrimination or retaliation for reporting violations of this policy to the City.

The Smoke Free Air Act prohibits smoking in "public places" and in certain other specifically defined outdoor areas, including but not limited to the following:

1. Public Places, including Public Buildings and Public Vehicles: Smoking is not allowed in public places, including public buildings, vehicles, and motorized equipment owned or operated by the City.
2. In outdoor areas, smoking is not allowed on the "grounds of any public building."
3. Festival or Special Event: Smoking is not allowed at festivals or other special events within the areas of City parks or other City property designated by the City Council or their designee as nonsmoking in connection with the City's permission for the Festival or Special Event to be held in a City park or on City property.
4. Smoking is prohibited on "playgrounds" and in "park shelters" located on City property, including adjacent areas within 50 feet of playgrounds and park shelters.

Smoking shall be permitted in areas as approved by Department Director and City Administrator.

7.3 Meal Breaks and Rest Periods

The supervisors will establish meal breaks and rest periods. The rest period may never be used as a valid reason for failure to perform tasks that have been directed by management.

Every employee, except police department personnel, who works six consecutive hours or more in one day will be provided a minimum of at least a one-half hour lunch period. No employee may work through lunch and be excused from work early or paid for such time except with the permission of the department director, which may be granted on an infrequent basis.

Each employee shall be allowed an unpaid lunch period to be scheduled generally in the middle of the work shift. Lunch periods shall be scheduled by the department director, giving consideration to department needs. Such periods will not be more than one hour or less than thirty minutes. Each employee shall also be scheduled for one fifteen-minute break during the first four hours of their shift and one fifteen-minute break during the second four hours of their shift. Lunch and break periods combined may not exceed sixty minutes in any one work shift.

Police officers and firefighters/medics shall not be relieved during their break period/s from their responsibility to handle police, fire or other emergency call.

7.4 Lactation Accommodation Policy

Under the Patient Protection and Affordable Care Act signed into federal law in 2010, the Fair Labor Standards Act was amended to require employers to provide rest breaks to mothers who wish to express breast milk for her nursing child for one year after the child's birth. An employee who has a need for lactation accommodations should inform her supervisor or Department Director and discuss any relevant workload or scheduling issues. Each Department will work with employees to arrange for a room or location within close proximity to the employee's work area, other than a bathroom, where the mother can express milk in privacy. Lactation breaks will typically be between 15 and 20 minutes in length and may be taken as frequently as necessary.

Lactation breaks are unpaid.

7.5 Dress Code

Employees are expected at all times to present a professional, business-like image to the public. Favorable personal appearance, like proper maintenance of work areas, is an ongoing requirement of employment with the City. Radical departures from conventional dress or personal grooming and hygiene standards are not permitted.

Any employees who have regular contact with the public must comply with the following personal appearance standards:

1. Employees are expected to dress in a manner that is normally acceptable in similar business establishments. Clothing must be clean, pressed and wrinkle-free, not excessively worn or faded and without holes or frayed areas. The unauthorized wearing of suggestive attire or of dungarees, shorts, T-Shirts and similar items of casual attire is not permitted, as they do not present a businesslike appearance. Clothing should not have inappropriate advertising or slogans, as determined by the City Administrator. Jeans that are not ripped, tattered or worn-out may be worn on occasion with approval of the City Administrator or designee.
2. Hair should be clean, combed, and neatly trimmed or arranged. Shaggy, unkempt hair is not permissible regardless of length.
3. Sideburns, mustaches, and beards should be neatly trimmed.

The personal appearance of employees who do not regularly meet the public is to be governed by the requirements of safety, comfort, and consideration for co-workers, but should still be as neat and business-like as working conditions permit.

All employees are expected to maintain a basic and proper level of hygiene, regardless of position within the City. Excessive perfume or cologne should be avoided in consideration of other employees and the public.

The use of city-issued uniforms shall not be permitted during off-duty hours except for ceremonial purposes.

Certain employees may be required to meet special dress, grooming, and/or hygiene standards depending on the nature of their department and job. For example, the wearing of shorts by staff during warm weather conditions is at the discretion of the Department Director and must be included in the Department's regulations. Departmental-specific policies will be developed by the Department Director and approved by the City Administrator.

7.6 Time Records

Each employee is responsible for completing a time record for hours worked and submitting it to his/her department director or supervisor. Department directors shall review time records to verify hours, department and function numbers, and appropriate signatures before approving the time record. Approved time records are then submitted to the City Clerk's office. Time records not submitted to the City Clerk's office, allowing sufficient time for processing, could result in delay of

payment. Anyone who knowingly falsifies a record of hours or knowingly approves a falsified time record shall be subject to disciplinary action up to and including termination.

7.7 Attendance at Conferences, Seminars, and Technical Meetings

- A. Attendance at professional conferences, seminars, and technical meetings shall be considered part of the employee's normal duties if attendance is approved by the department director or the City Administrator. Hours at the conference and travel time will be compensated.

Department directors may attend out-of-region conferences/training seminars with the approval of the City Administrator. Out-of-region is defined as locations other than the state of Iowa and its bordering states. All other staff members may attend out-of-region conferences/training seminars as recommended and approved by the City Administrator and their department director. Staff members may attend in-state conferences/training seminars as approved by the appropriate department director.

- B. It is the policy of the city to reimburse officials and employees for actual meal expenses incurred while traveling outside of Clarion, Iowa, away from home overnight on city business and for actual meal expenses that are for the convenience of the employee, such as attending a meeting that is conducted during a meal. This policy establishes guidelines of reimbursement for meal expenses, what is needed from the employee to request reimbursement of a meal expense, when a meal is/is not eligible for reimbursement, when a reimbursement request may be reviewed, and how this policy relates to an individual department policy.

1. Meal expenses will be considered for reimbursement by the City Administrator or designee for meals purchased by an employee traveling to/from or attending a conference, meeting, training or seminar that is located outside of Clarion, Iowa. Meal Expenses will be reimbursed up to \$40 per day or \$13.33 per meal.
2. Meal expenses incurred by an employee while attending a conference, meeting, training or seminar within city limits will typically not be considered for reimbursement.
3. Employees must submit original receipts with their reimbursement request. The receipt must show the amount of the expense, the date of the expense, the location of the expense, and business reason for the expense. These receipts must be original and fully itemized, identifying what was purchased and from whom. Tips and gratuities shall not be paid or reimbursed by the City. Debit card or charge card receipts are not acceptable on their own but should be attached to the itemized receipt.
4. The city will not reimburse employees for the purchase of alcoholic beverages.
5. The use of a city issued credit card or "Purchasing" card is appropriate for the purchasing of meals deemed reimbursable by this policy.
6. Reimbursement requests may be reviewed by Management prior to issuance and may be reviewed by City auditors and/or IRS auditors for compliance with City policy and/or IRS regulations. These reviews may involve review of: receipts

for location of vendor, items to be reimbursed, advance travel authorization, the business purpose, and may involve obtaining further clarification from the department head and/or the employee.

7. Individual departments may institute departmental policies that are more restrictive, but individual department policies cannot be less restrictive, unless mandated by State or Federal guidelines.

C. Employees attending conferences, seminars, and meetings

7.8 Hazardous Materials

An employee has the right to review and make copies of Safety Data Sheets (SDS) kept on file with the city of materials and substances they may be exposed to while performing his/her duties.

7.9 Work Schedule

Due to the diverse services provided by the City (24 hours-a-day, 7 days-a-week), the hours of work will be determined by employees' managers or supervisors based on statuses of employees and their abilities to ensure quality service to the public and efficient operation of the departments.

All employees are expected to observe the hours set within your department and/or your position. However, alternatives to the work schedule may be approved. An alternative schedule may include: 1) Giving alternative days off during a week other than the typical Saturday and Sunday, 2) Working a schedule other than an eight-hour day, or 3) Starting and ending the work day or taking shorter lunch breaks than is typical in your area. Any special arrangement from the traditional schedule needs to be agreed to by your immediate supervisor, Department Director, and City Administrator. Foremost in the decision to change an hourly employee's schedule will be the ability to meet operational requirements and customer service needs.

Unless otherwise authorized by the City Administrator, the following work schedules and office hours shall be generally adhered to:

Administration	7:00 a.m. to 4:00 p.m.
Library	their regular shift schedule
Parks/Recreation.....	7:00 a.m. to 4:00 p.m.
Police Department Personnel	their regular shift schedule
Public Works	7:00 a.m. to 4:00 p.m.

ARTICLE VIII – COMPENSATION, ADJUSTMENT AND PERFORMANCE APPRAISAL

8.1 Salary Schedule

To carry out a policy of equity regarding compensation and work, as well as to provide a systematic means for dealing with personnel matters, a salary schedule is established and will be reviewed and approved annually by the City Council.

8.2 Rates of Pay

The City Council shall annually establish the minimum entry-level rate of pay (salary scale) for each position. Such salary scales will be determined by considering: the duties, responsibilities, and requirements for each position; the prevailing rates of pay (including indirect pay for fringe benefits) for similar work within the city's recruitment area for that position; cost of living adjustment; and the city's ability to pay such wages.

8.3 Salary Adjustments

The City Council shall annually review and determine the percent of salary increase for employees. The City Administrator shall be responsible for administering job evaluations and salary adjustments.

The salary to be paid shall be determined annually through the evaluation of each employee's job performance by appropriate supervisory personnel review and recommendation by the employee's department director. Evaluations are to be completed each year by June 1. All salary adjustments shall be limited by such amounts and/or percentages as may be determined by the City Council. The employee will receive a raise percentage based upon their current compensation compared to the market scale. All pay increases must be approved by the City Administrator and the City Council.

8.4 Total Remuneration

Any salary rate established for an employee shall be the total remuneration for the employee, but not to be construed as including overtime, group medical insurance benefits, life insurance, pension, or reimbursement of uniforms and official travel. Except as otherwise provided, no employee shall receive pay from the city in addition to the salary authorized for services rendered by him/her, either in the discharge of ordinary duties or any additional duties which may be imposed upon the employee, or which he/she may undertake or volunteer to perform. Under no circumstances may city services be extended by employees in exchange for special rewards, gifts or other remuneration from someone else.

8.5 Temporary Pay Increase

If an employee's duties are expanded temporarily, the City Administrator or City Council may grant an increase in pay to the employee during the time the employee is responsible for the additional duties.

8.6 Payroll

Payroll checks will normally be distributed, electronically deposited, or emailed by the City Clerk's office on Friday of every other week. In computing, regular and overtime hours for payroll checks, all records of hours worked shall be submitted to the City Clerk no later than Monday immediately preceding Friday's payroll check issuance. If not, the hours will be carried over to the next scheduled pay period. When payroll checks are issued every other week, every eleventh or twelfth year there is a 27th payroll. In the event of the 27th payroll, salaried exempt employees will receive a normal paycheck as well as hourly non-exempt employees who receive pay for hours worked.

8.7 New Appointments

Upon initial appointment to a position, the employee will receive the minimum salary for the position, unless the individual selected possesses sufficient qualifications and experience relevant to the position in which case the City Administrator may recommend a higher salary.

8.8 Performance Evaluation

Performance appraisal is a continual process. Department directors and supervisors are responsible for conducting a formal performance evaluation of each of their employees once a year, and as previously noted, at the completion of an employee's probationary period. Such evaluations should be written on a form providing convenient and measurable recording of the work quality and progress of the employee. The evaluations should be reviewed between department director and employee and signed by both parties.

The following schedule of evaluation of employees is recommended:

- A. Midway through the probationary period;
- B. At the end of the probationary period; and
- C. Thirty days preceding the end of the fiscal year.

Department directors may conduct evaluations more frequently if deemed necessary or useful. All departments shall tabulate final merit scores for purposes of determining salary increases. Evaluation forms, tailored to specific employee work tasks and job descriptions, shall be used by the department directors to make such evaluations.

ARTICLE IX - BENEFITS

9.1 Annual Leave/Vacation

Annual leave/vacation is a means whereby an employee may accumulate leave time on an earned, yearly basis. All regular full-time employees will receive vacation time as follows:

- After one (1) year of consecutive employment – 40 hours off (1 week).
- After two (2) years of consecutive employment – 80 hours off (2 weeks).
- After five (6) years of consecutive employment – 100 hours off (2.5 weeks).
- After ten (10) years of consecutive employment - 120 hours off (3 weeks).
- After twelve (12) years of consecutive employment – 160 hours off (4 weeks).
- After twenty (20) years of consecutive employment – 200 hours off (5 Weeks).

The following policies and procedures pertain to vacation benefits:

- A. Departments will schedule vacation leave with regard to the department operating requirements and responsibilities, and insofar as possible, with the request of the employees. Vacation should be requested as early as possible prior to the time vacation is desired. In the event a municipal holiday occurs during an employee's scheduled vacation; such holiday shall not be charged as vacation leave.

- B. Time lost due to occupational accident or disease will be considered as time worked.
- C. Vacation money may not be paid to employees who work in-lieu-of their vacation unless recommended by the City Administrator and approved by the City Council.
- D. If an employee becomes ill while on vacation, the employee may, upon advising and receiving permission from his/her supervisor, change the time ill to sick leave instead of vacation.
- E. Any full-time employee resigning or terminating employment with the city shall be compensated for vacation leave earned and unused to the date of his/her termination.
- F. Employees may be allowed to carry-over a maximum of two times their vacation rate.
Example: 2 years of service earns 40 hours can carry over 40 hours not to exceed 80 hours on Anniversary date.

10 years of service earns 120 hours (3 weeks) can carry over no more than 240 hours on Anniversary date.

Personal days: Each employee receives 2 personal days per year. These are awarded on July 1st of each year and must be used by June 30th of each year. They do not accumulate from year to year

9.2 Sick Leave

- A. All regular, full-time employees shall earn 10 days' sick leave per year. Each employee, upon hiring, shall receive five days of sick leave automatically. There shall be a maximum of 800 hours of accrued sick leave. Permanent part-time employees shall be granted twelve hours of sick leave upon hire and shall accrue sick leave according the guidelines detailed in section 9.4.
- B. No payment of accrued and unused sick leave shall be made upon separation from city employment, except in the case of Bon A Fide retirement of a regular, full-time employee. In such cases, payment of \$1 per hour of such accrued sick leave, not exceeding 800 hours of payout, shall be made to the retiring full-time employee.
- C. In the event that an employee is eligible to receive disability benefits for non-work-related illness or injury under the city's long-term disability policy, sick leave shall not be paid to an employee while receiving such benefits.
- D. For absences of three or more consecutive days, a doctor's signature may be required before the employee may resume work. Additionally, the employee's supervisor must inform the City Clerk when an employee is out on sick leave for three or more consecutive days in order to be in compliance with the Family and Medical Leave of Absence section of this manual (Section 9.8).
- E. Sick leave shall not be used as vacation.
- F. At the discretion of a department director, any employee absents from work because of a claimed illness on a scheduled work day immediately before or immediately after

normal days off, holidays or vacation days, may be required to supply a doctor's certification of illness for the absent work day/s before becoming eligible for sick leave pay for the absent work day/s.

- G. Disabilities caused or contributed to by pregnancy and recovery there from shall be covered by accumulated sick leave.
- H. Any full-time employee not using sick leave in a Fiscal Year, July 1 through June 30, will receive two (2) days (16 Hours) pay.
- I. In case of absence due to illness or emergency, the department director should be notified as soon as possible.
- J. For purposes of computing hours worked, planned/approved leave will count as time worked.
- K. In the event that an employee's sickness or disability extends beyond the employee's accrued sick, vacation leave, and accrued compensatory time, the City Administrator may grant an unpaid leave of absence. Such leave must conform to the unpaid leave policy.
- L. No employee shall be entitled to sick leave while absent from duty due to the following causes.
 - 1. Sickness or disability sustained while on a leave of absence without pay, unless it can be shown that the condition existed prior to the leave of absence.
 - 2. Inability to properly perform required duties because of intemperance, intoxication, or unlawful use of drugs, except for city approved formal treatment thereof.
- M. Employees wishing to receive leave from other employees need to submit a request to receive transferred leave to his/her department director. The request is recommended for approval or denial by the employee's department director and the City Administrator. All personal time, including vacation, comp time, and holidays must be exhausted prior to requesting donated sick leave. During the time an employee is using donated leave, the city's matching contribution to that employee's deferred compensation program will not continue while the employee is receiving contributed donated leave. **(Form to receive – See APPENDIX)**

At the end of the absence, any remaining transferred leave will be transferred back to the employees who donated it on a prorated basis, rounding to the nearest ½ hour.

Maximum amount of transferred leave cannot exceed the number of days until the employee is eligible for long term disability (LTD) benefits.

- N. At the City Administrator's discretion, non-emergency employees (such as employees other than police officers, firefighters/medics, and snow removal staff) may be excused from work due to inclement weather. All full-time and permanent part-time employees who are absent from work due to inclement weather must claim sick, vacation, compensatory, or nonpaid leave for the number of hours

scheduled and normally worked that day.

Sick leave pay shall not be considered a right that an employee shall use at his/her discretion, but shall be allowed as a privilege in such cases where the employee is sick or disabled or a member of the employee's immediate family is sick or disabled. The number of days of sick leave allowed for family sickness will be limited to three workdays per episode.

In the event of a dire emergency, the number of sick days used for family illness may be increased with the permission of the City Administrator. Any employee who is proven to have fraudulently used their sick leave compensation from the city will be subject to disciplinary action up to and including dismissal.

As a mutual protection for the employee and the city, the City Administrator may require an employee to submit to a physical examination by a designated physician when, in the manager's opinion, the performance of the employee may have become limited or weakened by virtue of impaired health. This physical examination shall be at the expense of the city.

Other uses of sick leave may include any form of preventative medicine or treatment that requires the employee to take time off during normal working hours to see a doctor, for medical tests, dental, chiropractic, or any other similar professional medical attention. Such usage must be approved by the employee's supervisor prior to leaving the workstation.

9.3 Regular Part-time Employee Benefits

Regular part-time employees shall be granted twelve hours of sick leave upon hire, paid city holidays (based upon their usual number of hours of work per day), and shall accrue vacation and sick leave per the following guidelines:

- A. No benefits are to be granted if the person is to work less than 30 hours per week.
- B. New hires will be brought on with proportionate benefits based upon the hours they are planned to work each week.
- C. Incremental breaks for benefits are established by the City Administrator and calculated using a weekly average over a monthly period. An employee must work a minimum of 20 hours per week on a routine basis to accrue benefits. Hours are not rounded up to the next increment.
- D. Each year in June a review is to be made by the department director of the person's average hours. If they are working on average in a higher bracket, then supporting paperwork needs to be submitted to the City Administrator for approval on moving them to the appropriate bracket as of July 1, of that year. Upward moves will only occur once per year - July 1 as authorized in the budget. Any other upward increase in hours and benefits must have prior City Administrator approval.
- E. If for some reason a person reduces their usual number of hours worked, written information is to be provided to the City Administrator and the employee will be immediately reduced to the appropriate benefits.
- F. If a person takes unpaid leave that has been authorized by the department director, the lack of hours worked for that day/s is not to be included in computing average hours worked per week.
- G. If a person takes unpaid leave that has been authorized by the department director,

all paid vacation time must be used prior to the unpaid leave.

Regular part-time employees shall be able to use two years of city employment to equal one year of full-time service should they become full-time. If a part-time employee becomes full-time, his/her number of years' part-time service divided by two (2) shall be used as the number of years of equivalent full-time service to determine vacation accrual and deferred compensation eligibility. Temporary employees shall receive no paid leave and no benefits.

Should part-time employees work more than 40 hours in a one-week period, they will be paid overtime at a rate of one and one-half.

9.4 Wellness

The wellness program demonstrates the city's concern for the wellbeing of its employees and their families and is designed to improve employee morale leading to increased productivity. A wellness program offers the potential for reduced sick leave and loss of time through absenteeism. The city encourages the use of local wellness resources when possible.

Examples of eligible programs include, but are not limited to, the following:

- A. Flu Shots (available to all staff)
- B. Position-Required Physicals (Paid on-call EMT's, volunteer firefighters, sworn officers and new hires.)
- C. Membership (Employee only) to the Clarion Fitness Center

9.5 Bereavement and Funeral Leave

Regular Full-Time Employee - In case of death in the immediate family, a regular full-time employee may be granted a leave of absence with pay of up to three calendar days. Dependent upon the functions required of an employee regarding the death of an immediate family member, the department director may allow up to two additional leave days if he/she is convinced of its need. "Immediate family" shall include husband, wife, children, adopted children, stepchildren, brother, sister, half-brother, half-sister, stepbrother, stepsister, father, mother, father/mother-in-law, son/daughter-in-law, brother/sister-in-law, stepfather, stepmother, grandparents, grandchildren, and guardians. The full-time employee may be granted a leave of absence with pay of one day in case of the death of aunts, uncles, nieces, or nephews. The department director may allow one additional day depending upon the functions required of the employee.

One-half day off with pay, at the department director's discretion, will be allowed to employees who attend the funeral of a fellow city employee or former city employee.

9.6 Family and Medical Leaves of Absence

- A. Employees Who Qualify for a Leave Under the Family and Medical Leave Act of 1993

The City will grant a leave of absence to regular full-time and regular part-time employees (who meet the requirements described below) for:

- the care of a child after birth or placement with the employee for adoption or foster care;
- the care of a family member (spouse, child, or parent) with a serious health condition;
- an employee's own serious health condition that makes the employee unable to perform the functions of the employee's job, or incapacity due to the employee's pregnancy or prenatal medical care;
- any qualifying exigency (as defined below) arising out of the fact that a family member (spouse, son, daughter or parent) is serving in any branch of the Armed Forces, including the National Guard or Reserves on active duty or has been notified of an impending call or order to active duty in support of a contingency operation; or
- the care of a service member with a serious injury or illness if the employee is the spouse, child, parent or next of kin of the service member.

Leaves will be granted for a period of up to twelve weeks (or up to 26 weeks in the case of care for a service member, as discussed below) in any twelve-month period. The twelve-month period is a rolling period, measured from the date qualifying leave is first taken.

An employee must have completed at least twelve months of service with the City *and* have worked a minimum of 1,250 hours in the twelve-month period preceding the leave to be eligible for such leave. All periods of absence from work due to or necessitated by USERRA-covered service is counted in determining an employee's eligibility for FMLA leave. Service prior to a break in service of less than seven years will be counted in determining whether the employee has completed at least twelve months of service with the City. Service prior to a break in service lasting seven or more years will be counted only when the break in service has been caused by the fulfillment of National Guard or Reserve military service obligations.

Employees who do not meet these requirements may apply for a leave of absence subject to the conditions described in Part B of this policy manual.

Scope of Child/Family Care/ Military Exigency Leave

An employee may request a leave of absence to care for a child after birth, or placement in your home for adoption or foster care. An employee's entitlement to leave for a birth or placement for adoption or foster care expires at the end of a 12-month period beginning on the date of birth or placement.

An employee may also request a leave of absence to care for a covered family member with a serious health condition (as defined below). A covered family member is a spouse; a biological, adoptive, step or foster parent, but not an "in law"; a biological, adoptive, step or foster child, or legal ward who is under age 18, or who is 18 or older and incapable of self-care because of a mental or physical disability at the time that FMLA leave is to commence.

An employee may also request a leave of absence because of any qualifying exigency arising out of the fact that the spouse, or a son, daughter, or parent of the employee is a member of the Armed Forces, including a member of the National Guard or Reserves, on active duty (or has been notified of an impending call or order to active duty) in support of a contingency operation. A qualifying military exigency means: (a) short-notice deployment (up to seven days of leave if the military member receives seven or less days' notice of a call to active duty); (b) military events and related activities; (c) certain temporary or alternative childcare arrangements and school activities (excluding ongoing regular childcare); (d) making or updating financial and legal arrangements to address the service member's absence resulting from active duty status; (e) counseling by a non-medical counselor, such as a member of the clergy, arising from the active duty or call to active duty; (f) rest and recuperation (up to five days of leave when the military member is on short-term, temporary rest and recuperation leave); (g) parental care leave for a military member's parent who is incapable of self-care when the care is necessitated by the member's covered active duty; and/or (h) post-deployment military activities.

Leave for Employee's Serious Health Condition

An employee may request a leave of absence if your own serious health condition renders you unable to perform the functions of your position. An employee is unable to perform the functions of his or her position when the employee either cannot work at all or is unable to perform any one of the essential functions of his or her position within the meaning of the Americans with Disabilities Act. An employee who must be absent to receive medical treatment for a serious health condition is unable to perform the essential functions of the position during the absence for treatment.

Serious Health Condition Defined

The Family & Medical Leave Act broadly describes a serious health condition as an illness, injury, impairment, or physical or mental condition that involves either inpatient care or continuing treatment by a health care provider.

The term "continuing treatment" is defined in the Department of Labor regulations as including five different scenarios:

- A period of incapacity of more than three full consecutive calendar days involving two or more treatments within 30 days of the first day of incapacity (absent extenuating circumstances), by or under the orders of a health care provider, or treatment by a health care provider on at least one occasion that results in a supervised regimen of continuing treatment (for example, prescription medications or specialized therapy). *Treatment by a health care provider requires an in-person visit with the health care provider, the first (or only) in-person treatment visit taking place within seven days of the first day of incapacity;*
- Pregnancy (including severe morning sickness) and time needed for prenatal visits;
- A chronic health condition, such as asthma, diabetes, or epilepsy, which require at least two visits for treatment by a healthcare provider per year;

- A long-term condition such as Alzheimer's, a severe stroke, or the terminal stages of a disease, for which treatment may not be effective; and
- Restorative surgery after an accident or other injury, or a condition that is likely to result in a period of incapacity of more than three full consecutive calendar days if left untreated, such as physical therapy for severe arthritis or chemotherapy for cancer.

(Note: any period of incapacity that is the result of pregnancy or a chronic serious health condition, such as morning sickness or an asthma attack, qualifies for FMLA leave even if the employee does not receive treatment from a health care provider or the absence does not last more than three full, consecutive days.)

Service Member Family Leave

An eligible employee who is the spouse, son, daughter, parent, or next of kin (usually, the nearest blood relative) of a covered service member shall be entitled to a total of 26 work weeks of leave during a twelve (12) month period to care for the service member. The leave described in this paragraph shall be available only during a single 12-month period. A "covered service member" means a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious illness or injury which either existed prior to the beginning of the member's active duty and was aggravated by service in the line or duty or was incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy.

A "covered service member" also includes a veteran who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the permanent disability retired list, for a serious illness or injury, and who was formerly a member of the Armed Forces, including a former member of the National Guard or Reserves, at any time during the period of 5 years preceding the date on which the veteran undergoes the medical treatment, recuperation or therapy. For purposes of this paragraph only, the term "serious illness or injury" means

1. an injury or illness incurred by the member in the line of duty on active duty in the Armed Forces (or that pre-existed active duty and was aggravated by service in the line of duty on active duty) that may render the member medically unfit to perform the duties of the member's office, grade, rank or rating; OR
2. A physical or mental condition for which the covered veteran has received a VA Service Related Disability Rating (VASRD) of 50 percent or greater and such VASRD rating is based, in whole or in part, on the condition precipitating the need for caregiver leave; OR
3. A physical or mental condition that substantially impairs the veteran's ability to secure or follow a substantially gainful occupation because of a disability or disabilities related to military service or would do so absent treatment; OR
4. An injury, including a psychological injury, based on which the covered veteran has been enrolled in the Department of Veterans Affairs Program of

Comprehensive Assistance for Family Caregivers.

This leave entitlement is applied on a per-covered-service-member, per-injury basis. This leave is available for up to five years after the veteran leaves the service if the veteran develops an injury or illness that was incurred or aggravated while on active duty.

Leave Entitlement and Schedule

Eligible employees are entitled to leave for up to twelve weeks (or up to 26 weeks in the case of care for a service member as discussed above) in any twelve-month period (or longer if required by applicable state or local law or, in the case of a leave for an employee's serious health condition, where a leave extension is requested and approved).

Leave taken to care for a child after birth or placement in your home for adoption or foster care must be taken in consecutive workweeks. Leave taken for the employee's or a covered family member's (or nearest blood relative in the case of service member leave) serious health condition may be taken consecutively, intermittently, or on a reduced work/leave schedule based on certified medical necessity. When leave is taken on an intermittent or reduced leave schedule, the minimum increment of leave used must not be less than one hour.

To accommodate an intermittent or reduced schedule FMLA leave when the leave is foreseeable based on planned medical treatment for the employee or a covered family member, the employee may be transferred on a temporary basis to an alternative position for which the employee is qualified. The alternative position will have equivalent pay, benefits, and terms and conditions of employment.

Combined Leave Total

If an eligible employee qualifies in the applicable 12-month period for leave to care for a service member and leave for one of the other purposes described above, that employee shall be entitled to a combined total of 26 work weeks of leave. If both a husband and wife are employed by the City and are eligible for service member family leave, then they are entitled to take only a combined total of 26 work weeks of leave during the single 12-month period.

When an eligible husband and wife are both employed by the City, and are not eligible for service member family leave, they may take only a combined total of 12 weeks during the applicable twelve month period if the leave is taken (1) for the birth of a child and to care for such child; (2) for the placement of a child for adoption or foster care and to care for such child; or (3) to care for his/her own parent (not an "in-law") with a serious health condition.

Conditions of Leave

1. Notification Requirements. If the leave is planned, you must provide the City with at least thirty (30) days' notice prior to the anticipated leave date, using the City's official Leave-of-Absence Request Form. In the case of leave arising out of the fact that the spouse, or a son, daughter, or parent of the

employee is on active duty (or has been notified of an impending call or order to active duty) of the armed forces in support of a contingency operation, the employee shall provide such notice to the City as is reasonable and practical. Verbal notice of the need for leave is sufficient, but it is preferred that you provide notice by filing the City's official Leave-of-Absence Request Form.

If the leave is unexpected, you should notify your supervisor and the City Clerk as far in advance of the anticipated leave date as is practicable. (Normally, this should be the same day or the next business day after you become aware of your need for the leave.) Verbal notice of the need for leave is sufficient, but it is preferred that you provide notice by filing the City's official Leave-of-Absence Request Form.

2. Designation of Leave as FMLA-qualifying. The City will provide a written notice to the employee designating the leave as "FMLA qualifying" within five (5) business days after the City has enough information to determine whether the leave is being taken for a FMLA-qualifying reason, absent extenuating circumstances. The City may delay final leave designation until a required medical certification form has been returned.
3. Certification of the Need for Leave. The City will require you to provide certification of the need for leave as follows:
 - Employees requesting a leave to care for a child after birth or after placement in your home for adoption or foster care must provide documentation to support the leave request.
 - Employees requesting a leave to care for a covered family member (including as a next of kin in the case of service member leave, as discussed above) with a serious health condition (or serious injury or illness, in the case of service member leave) will be required to provide medical certification from the family or service member's health care provider attesting to the nature of the serious health condition, probable length of time treatment will be required, and the reasons that the employee is required to care for this family or service member.
 - Employees requesting a leave due to his or her own serious health condition will be required to provide medical certification from his or her health care provider attesting to the nature of the serious health condition, probable length of time leave will be required, and the inability of the employee to perform the functions of his or her position due to the serious health condition.
 - Employees requesting leave due to a military exigency will be required to provide certification that the covered family member is a member of the National Guard or Reserves who is on active duty or called to active duty in support of a contingency operation. The employee will also be required to provide a statement, including available written support documentation, about the nature and details of the specific exigency, the

amount of leave needed and the employee's relationship to the military member.

Employees are required to provide the requested certification within fifteen (15) calendar days of the City's request for certification. If the City fails to receive the certification, FMLA leave may be denied. If the City receives incomplete, vague, ambiguous or non-responsive medical certifications, the City will notify you of the problems with the certification provide you seven (7) days to cure any deficiency unless not practicable under the circumstances. If the deficiencies are not cured within that time frame, the City may contact the health care provider directly for clarification or authentication purposes or the FMLA leave may be denied.

If management determines that a second medical opinion is required, management may, at its own expense, require you to obtain a second opinion from a health care provider designated by the City. If the first and second opinions do not agree, management may, at its own expense, require you to obtain a third opinion from a health care provider agreed upon by both you and management. The opinion of the third health care provider is final.

4. **Recertification.** While on leave under this policy, management may request recertification of medical necessity every thirty (30) days, or if the medical certification indicates the minimum duration of the condition is more than 30 days, then at the end of the minimum duration. You may also be requested to provide recertification in less than 30 days if you request a leave extension, the circumstances described by the earlier certification have changed substantially, or the City receives information that casts doubt upon the employee's stated reason for the absence. The City may also require periodic reports on your status and intent to return to work. Where a serious health condition of either an employee or that of a family member lasts beyond a single leave year, the City may require employees to provide a new medical certification each subsequent leave year.
5. **Substitution of Paid Leave.** You will be required to use all accrued, unused vacation days, sick days, discretionary holiday, and personal days during the leave period. Once such benefits are exhausted, the balance of the leave will be without pay. FMLA leave because of an employee's own serious health condition will run concurrently with worker's compensation leave, when applicable.
6. **Continuation of Benefits.** All City benefits that operate on an accrual basis (e.g., vacation and personal days) will cease to accrue during the leave period. All group health benefits (e.g., medical, vision, and dental insurance) will continue during the leave provided you continue regular employee contributions to these plans. (Other benefits will be governed in accordance with the terms of each benefits plan.)

Reinstatement Rights

Eligible employees are entitled on return from leave to be reinstated to their former position or an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. Exceptions to this provision may apply if business circumstances have changed (e.g., if the employee's position is no longer available due to a job elimination). In addition, employees on a leave extension are not guaranteed reinstatement.

Before you will be permitted to return from medical leave, you will be required to present the City with a note from your health care provider indicating that you are capable of returning to work and performing the essential functions of your position with or without reasonable accommodation. Where required, the City will consider making reasonable accommodation for any disability you may have in accordance with applicable laws.

Under limited circumstances, where restoration to employment will cause substantial and grievous economic injury to the operations of the City, the City may refuse to reinstate certain "key" employees after using FMLA leave. These employees will be made aware of their status as "key" employees prior to any denial of job restoration and will have a reasonable opportunity to return to work from FMLA leave upon this notice.

Non-Discrimination

Management will not interfere with, restrain, or deny an employee the opportunity to exercise any right provided under FMLA. Management will not discharge or discriminate against any employee for opposing any practice made unlawful by FMLA or because of an employee's involvement proceeding under or related to FMLA.

Confidentiality

Management will also keep any medical information it obtains in complying with the FMLA confidential, pursuant to this statute, as well as the Genetic Information Non-Discrimination Act (GINA).

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer to enforce the employee's rights under the FMLA. The FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement that provides greater family or medical leave rights.

B. Leaves for Employees Who Do Not Meet the Minimum Service Requirements

Full-time regular and part-time regular employees who have less than twelve months of service and/or who have not worked a minimum of 1,250 hours during the twelve-month period prior to their leave may request leaves of absence due to disabilities resulting from the employee's pregnancy, miscarriage, legal abortion, childbirth, or

recovery there from, subject to the following terms and conditions:

1. Leave requests must be made at least thirty (30) days in advance of the date the employee would like the leave to begin or, in emergency situations, with as much advance notice as is practicable, using the City's official Leave-of-Absence Request Form. (Normally, this should be the same day or the next business day after you become aware of your need for the leave). This request must be submitted to the employee's supervisor and the City Clerk.
2. The certification requirements and the conditions for required use of accrued time off, benefits accrual, and continuation of group health insurance during leave set forth in Part A apply to all leave requests.
3. All leaves due to disabilities resulting from the employee's pregnancy, miscarriage, legal abortion, childbirth, or recovery therefrom will be granted for the period of disability or eight weeks, whichever is less, and which may be taken intermittently.
4. Eligible employees are entitled on return from leave to be reinstated to their former position or an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. Exceptions to this provision may apply if business circumstances have changed (e.g., if the employee's position is no longer available due to a job elimination).

All questions regarding leaves of absence and requests for applicable forms should be directed to the City Clerk.

9.7 Military Leave

The city shall comply with the statute granting leave of absence for military leave in accordance with the provisions of Section 29A.28, The Iowa Code, as the same may be amended from time-to-time. Any employee, when ordered by proper authority to active state or federal service, is entitled to a leave of absence from the city for the period of such active state or federal service, without loss of status or efficiency rating. The city will make up the difference, if any, between the state or federal pay and the employee's regular earnings for the first thirty days in any twelve-month period.

9.8 Jury Leave

Any regular, full-time employee who is selected for jury duty, shall receive a paid leave of absence for the active time spent on such duty.

City employees required to appear in court on behalf of the city during regularly scheduled work hours, shall receive their normal earnings and expenses from the city. Any compensation paid to an employee by the courts shall be turned over to the city, except for meal and travel expenses. This section shall not apply to personal legal matters.

9.9 Leave of Absence

A department director may grant an unpaid leave of absence for a period of up to ten days per year for any employee who needs time off for personal reasons. Sick leave or vacation benefits

do not accrue during an unpaid leave exceeding five consecutive days. A regular full-time employee may, upon written request to the department director and subsequent approval of the City Administrator, be granted a leave of absence not to exceed ninety days in duration without pay or the accrual of any benefits for one of the following reasons:

- A. To enable the employee to engage in a course of study that enhances his/her usefulness to the city service;
- B. To enable an employee to take another position within the city service on a temporary basis;
- C. Other equally good reasons considered valid by the department director with concurrence by the City Administrator;
- D. In cases of extended sick leave, when the employee's sick leave, compensatory, and vacation time has been used up.

Any request for extension of leave shall be subject to all requirements of the original request.

The requesting employee shall state the reasons why, in his/her opinion, the request should be granted, the date when he/she desires the leave to begin, and the probable date of return. Additionally, the employee needs to state the benefit to the city in granting such a leave.

The City Administrator, upon the recommendation of the department director, may approve or reject such request based on the operating requirements of the department, availability of temporary substitute employees, the performance and attendance record of the individual, and the reason for the request.

Employees wishing to take such leaves of absence must realize that all positions in the city are subject to elimination. Thus, absolute assurance of reinstatement cannot be given. However, if the position is still in existence and is vacant after the period, the employee may resume his/her same status therein. If the position no longer exists or is filled, an attempt will be made to place the employee in a comparable position as soon as possible. During an unpaid leave exceeding five consecutive days, an employee:

- A. Does not earn vacation or sick leave;
- B. Does not collect sick leave benefits in the event they become ill;
- C. Does not contribute to retirement programs;
- D. Must reimburse the city for all group hospital and medical insurance premiums paid while on leave, if coverage is desired to be continuous; and
- E. Must reimburse the city for all coverage under group life and disability insurance, if coverage is desired to be continuous.

9.10 Holidays

Regular Full-Time Employees - All regular full-time employees shall be entitled to the following holidays with pay:

New Year's Day	Veterans' Day
Martin Luther King Day	Thanksgiving Day
Presidents' Day	Day after Thanksgiving
Memorial Day	Christmas Day
Independence Day	
Labor Day	One Floating Holidays *

Floating holiday must be used by June 30 of each year.

All staff required to work on a city holiday shall receive time-and-a-half pay AND an equivalent amount of time off.

As a condition for receiving time-and-a-half for the holidays, the employee must not have used any sick leave on either the scheduled day of work preceding or following the holiday. Time-and-a-half pay must be granted if a doctor's excuse is presented should one of those days be missed due to illness. If a doctor's excuse is not provided, the overtime will be paid as regular. Pre-approved vacation used the preceding or following day of the holiday worked will not negate the additional pay for working the holiday.

Any employee shall forfeit the right to payment for any holiday if they have an unexcused absence on the working day immediately preceding or following such holiday.

City offices will remain open on Good Friday; however, employees will be allowed to attend church services. Equal consideration will be given to all faiths as their religious holidays occur during the year.

When a holiday enumerated in this section falls on Sunday, the following Monday shall be observed. When a holiday enumerated falls on Saturday, the preceding Friday shall be observed.

If a holiday falls on an employee's regularly scheduled time off, he/she shall be entitled to a day off in compensation. Clarification of the above for employees receiving Saturday and Sunday as their normal day off:

9.11 Clothing Allowance

Upon approval of the City Council and any applicable bargaining units, regular employees will be furnished with all safety equipment required for the job by IOSHA or OSHA, and at the City Council's discretion any other personal safety equipment deemed necessary or useful to the job. Seasonal employees will be provided safety equipment as necessary and required for the job assignment. City will pay 100% of the cost up to \$250.00 for steel toed boots for FT Public Workers Employees, and 50% up to \$125.00 for PT/Seasonal PW Employees. No more than (1) pair per employee during the Fiscal Year. Must provide receipts of payment for reimbursement.

The City will share equally 50/50 up to a maximum of \$200.00 with full-time employees in the cost of work clothing in the Streets, Water, Sewer departments, and City Office Personal in a Fiscal Year. The City will share equally 50/50 on a (1) pair of boots for the FT Police Department in a Fiscal Year. Must provide receipts of payment for reimbursement.

9.12 Cell Phone Reimbursement

The City will provide cell phone reimbursement to those employees who qualify and are approved by the City Administrator. Employees will be reimbursed monthly, at a rate recommended by the City Administrator and approved by the City Council. With the current cell phone rates, employees are able to have plans and insurance while still remaining within their monthly reimbursement amount. In the event the insurance does not fully cover the cost, the city will cover up to an additional \$75 to replace the phone should it be damaged while the employee is at work.

9.13 Longevity

All full-time employees will receive longevity pay at a rate of \$4 per month or \$48 per year beginning when the employee reaches 3 years of service and capped at 20 years of service. Calculated at January 1 of each year. Below is the published pay schedule:

Years of Service	Pay per month	Pay per Year	Pay per 26 periods
3	\$12	\$144	\$5.54
4	\$16	\$192	\$7.38
5	\$20	\$240	\$9.23
6	\$24	\$288	\$11.08
7	\$28	\$336	\$12.92
8	\$32	\$384	\$14.77
9	\$36	\$432	\$16.62
10	\$40	\$480	\$18.46
11	\$44	\$528	\$20.31
12	\$48	\$576	\$22.15
13	\$52	\$624	\$24.00
14	\$56	\$672	\$25.85
15	\$60	\$720	\$27.69
16	\$64	\$768	\$29.53
17	\$68	\$816	\$31.38
18	\$72	\$864	\$33.23
19	\$76	\$912	\$35.07
20	\$80	\$960	\$36.92

9.14 Advanced Education Programs

The policy for financial assistance for academic training sets forth the conditions and procedures whereby regular full-time employees who have enhanced their value to the city through academic instruction may receive reimbursement from the city for a portion of their educational expense. This policy does not apply to conferences and technical short courses that provide specific job training. Technical conferences and short courses, when authorized, will be paid for from

accounts for training expense. If the technical conference or short course is held within the State of Iowa, the department director may authorize attendance. If the technical conference or short course is held outside the State of Iowa, the City Administrator must authorize attendance. Additionally, this policy does not apply to post-graduate coursework.

If an employee chooses to receive financial assistance from the city for academic training under this Section, the employee is not eligible for educational incentive pay as outlined in Section 9.17.

A. To qualify under this policy, the course or courses shall meet the two following criteria:

1. Relate directly to the employee's current job duties: or if the employee is seeking a certificate directly related to his/her current job or job within the city to which he/she is reasonably likely to be promoted. To qualify, electives must be preceded by significant work in core courses.
2. Accrue credit toward a high school diploma or equivalency certificate, or toward an associate or bachelor's degree at an accredited institution. It is not necessary that an employee intend to pursue the entire course of studies leading to the certificate or degree.

B. The following qualifications and limitations shall also apply:

1. All course work shall be taken on the employee's time unless authorized by the City Administrator.
2. City monies may be used for a reimbursement of \$75/credit hour of the documented expenditures for tuition that are not reimbursable with funds available from other non-personal sources. Non-personal sources shall include such items as veterans' benefits, local, state, or federal grants, and scholarships. Reimbursement will not include expenses incurred that could have been covered from non-personal sources even if the non-personal sources are not utilized.
3. If within three years of receipt of payment under this policy an employee leaves the employment of the City of Clarion for any reason, a portion of the payments made by the City during the three-year period shall be returned to the city or withheld from monies due the employee. The amount owed will be 50% of all payments made within the three-year period.

C. The following procedures shall be followed:

1. The City Council will, in each budget, set aside such monies, as it deems appropriate for job-specific training.
2. Regular employees may submit requests for training prior in writing prior to registration with approval of the department director to the City Administrator.

The request will specify:

- a. The institution offering the course;

- b. Course name and number;
 - c. A summary of the material covered and/or syllabus;
 - d. Anticipated costs;
 - e. Certificate sought (if any);
 - f. The amount of money available from other non-personal sources;
 - g. Any other information deemed appropriate by the City Administrator.
3. Requests for assistance will be considered in the order received, but so as not to unduly disrupt course work. Preference may be given to individuals who are conscientiously pursuing an established course of study leading to a degree or certificate. If a degree or certificate is sought, the request for assistance should indicate the anticipated annual reimbursement expense under this policy and the course work requirement of the degree or certificate sought.
 4. The City Administrator will determine whether the requirements of this policy will be met and will advise the applicant in writing as to whether or not participation under this policy is authorized.
 5. Upon completion of the course or courses, the employee will submit documentation establishing his/her costs for tuition and that he/she has received at least a "C" grade, or in pass/fail courses, a passing grade or certificate of satisfactory completion of the course.
 6. After receipt of documentation, payment will be made for authorized course work in accordance with this policy.

9.15 Commercial Drivers' Licenses & Reimbursement

If possession of a commercial driver's license (CDL) is a specific requirement for a given position, the city will reimburse the employee for the cost of any CDL which is above the cost of a normal operator's license. A copy of the license must be submitted for record.

9.16 Health Insurance

For each regular full-time employee, the city provides the option of participating in a medical insurance policy. Coverage for an eligible employee is effective on the earliest date that health insurance carrier will accept the new enrollee, generally 30 days. The City of Clarion will, subject to terms and conditions of the contract with the insurance carrier, select the insurance program, coverage and eligibility. Family coverage under this plan shall be available to the employee's spouse and/or dependent children at an additional cost, in accordance with the payroll resolution. Eligibility follows the options selected for the plan. Upon termination, the employee's insurance coverage extends to the last day of the last month in which they were employed. Former employees may be eligible for additional insurance coverage pursuant to COBRA.

If an employee experiences a change in status (either dependents or spousal – additions or deletions), the employee is required to inform the City within 30 days of the occurrence. If the

City is not timely notified of the occurrence, the employee will be held liable for any additional cost for health insurance the City incurred due to the employee's negligence.

9.17 Life Insurance

The city will cover regular full-time employees with a term life insurance policy at no cost to the employee. Eligibility is subject to the option on the plan. Per the Internal Revenue Service, when the total amount of a term life insurance policy exceeds \$50,000, the City's imputed cost of coverage in excess of \$50,000 must be included in the employee's annual income and is subject to social security and Medicare taxes.

9.18 Dental Insurance

The city will provide dental insurance for each regular full-time employee. Eligibility is subject to the option selected for the plan.

9.19 Vision Insurance

The city offers optional vision insurance for each regular full-time employee. The full cost of this plan is borne by the employee. In addition, the city will make payroll deduction available for employees who wish to take family coverage. Eligibility is subject to the option selected for the plan.

9.20 Exception

In the case of employees who have attained the age of seventy and remain in service to the city, due to actuarial differences beyond the control of the city, the city may not always be able to maintain their participation in the above-group benefit plans. To the extent that the city is unable to maintain participation in the group plans enumerated above for an employee past age 70, the city shall make available funding for an employee benefit program which shall be at least equal in amount to that contributed by the city for similarly-situated employees under age 70 who are participating in the group benefits plans described above. Due to actuarial differences beyond the control of the city and the unavailability of certain benefits to persons over age 70, individual plans may be offered to employees over age 70 which shall be subject to the approval of any affected employee and the City Council.

9.21 Off-the-Job Disability

The city will provide a long-term disability policy for regular full-time employees other than sworn police officers who have coverage through Municipal Fire & Police Retirement System of Iowa. This policy shall be coordinated with other applicable benefits as provided in the agreement between the city and insurance company. Accumulated sick leave shall not be paid if an employee qualifies for the non-work related long-term disability compensation.

A regular employee who suffers an off-the-job injury or illness will be required to use, accrued benefits (including sick leave, vacation, compensatory, and holidays) until exhausted during the leave period. FMLA leave (if applicable) will run concurrently with paid leave. An employee on disability leave will be permitted to continue his/her coverage under the group health insurance and/or life insurance at his/her own expense. Employees on FMLA leave will be entitled to continue his/her coverage under the group health insurance provided in Section 9.8 of this

handbook.

The city does not have the ability to function effectively for an indefinite period when a staff person is unable to perform the duties of their position. Therefore, if a person becomes disabled, is unable to return to work within a reasonable period of time from the date of the off-the-job injury or sickness, as determined by the City Administrator, and all other sick or FMLA leave has expired, the employee's employment will be terminated. In the case of a disability leave that continues after the expiration of an employee's FMLA leave, the city cannot guarantee the employee's reinstatement to his/her original position. However, the city will permit the employee to resume his/her original status if the position is still in existence and vacant. If the position no longer exists or is filled, the city will make an attempt to place the employee in a comparable position.

If a regular employee is deemed to be permanently disabled as a result of an off-the-job injury or sickness, the employee shall be released effective the date of such decision by the City Administrator. Upon retirement, any unused accrued sick leave, vacation and holiday benefits will be paid to the employee as set forth in Section 9.3(b) of this manual. Upon termination of employment (other than retirement), any unused accrued vacation and holiday benefits will be paid to the employee.

9.22 Accidental Death & Dismemberment (AD&D)

The city will provide a AD&D plan for each regular full-time employee. Eligibility is subject to the option selected for the plan.

9.23 Off-the-Job Injuries

An employee who suffers an off the job injury or illness that temporarily leaves them unable to perform their full job duties will be required to submit a release to return to work from their private physician to their department director. At the discretion of the department director, the employee may also be required to satisfactorily pass a Physical Capacity Profile (PCP) test and examination by the City's designated physician, at the City's expense, before returning to work.

An employee who experiences a non-work-related injury or medical condition for a period of time that exceeds 10 calendar days may be required to successfully complete a Physical Capacity Profile (PCP) Fit for Duty test prior to returning to work. An employee must have a documented full release from their personal physician with no restrictions prior to taking the PCP test and returning to work.

The employee must meet the job level requirements or the previously documented baseline for their position. The City of Clarion will pay for the first PCP test following a non-work-related injury or medical condition. Failure to meet the job level requirements or previously established baseline will result in an employee's inability to work in their present position. Dependent upon availability a job transfer may be assigned, or loss of employment may result. Based on the circumstances surrounding the employee's medical condition, long-term disability may be an option.

9.24 Accidental On-the-Job Injuries or Illnesses

The City of Clarion has a sincere concern for ensuring the health and safety of its employees while they are engaged in their daily working operations. The efficiency of city government operations is directly related to the competence and wellbeing of all employees. The city

acknowledges its obligation, as an employer, to provide safe working conditions for employees, and, as a governmental unit, to provide a safe environment for the public that benefits from these services. Employees are to promptly report any on-the-job hazard to his/her supervisor. Should any employee in a supervisory capacity determine that a work site is too dangerous to continue working at or in, he/she has the authority to stop or close the site until the matter is remedied. All employees are to adhere to city safety policies and if found to have violated any of them, he/she shall be subject to disciplinary action.

- A. All accidental on-the-job injuries or illnesses, whether requiring medical attention or not, shall be reported by the employee to the department director or supervisor on duty as soon as possible, but not later than 24 hours after the accident occurred. The employee (or director/supervisor acting on behalf of injured employee) should contact **Company Nurse** (1-888-770-0928) to report the workplace injury or illness. If injury or illness is serious or life-threatening, call 911 first, Company Nurse second. Company Nurse will evaluate the injury or illness and recommend either home care treatment or refer employee to a medical facility to seek immediate medical treatment. If the employee is referred for medical treatment, Company Nurse will send information to the medical facility prior to the employee's arrival, and the employee should not provide personal insurance information to the medical facility staff. Following medical treatment, the employee must provide a report to his/her supervisor including any documentation received from the medical facility staff including return to work instructions if applicable. The department director shall, as soon as possible, report the accident to the City Administrator. Within 24 hours, the employee, with the assistance of the City Clerk's office, shall fill out any additional forms necessary for reporting the injury or illness. If an employee is immediately hospitalized as a result of an accidental injury or illness incurred while on the job, the department director or supervisor on duty shall notify the City Administrator and the City Clerk as soon as possible. Any employee failing to report such an injury or illness, as described in this paragraph, shall be subject to disciplinary action.
- B. When an on-the-job injury or illness requires a prescription by a physician, the employee shall have the prescription filled and charged to the City of Clarion or to an insurance company if directed. When seeking medical care or prescriptions for on-the-job injury or illnesses, the employee must inform the attending physician or pharmacist that the injury/illness is a workers' compensation incident to eliminate any confusion about financial responsibility.
- C. Whenever an employee suffers any accidental injury or illness in the line of duty that causes the individual to be unable to perform his/her duties, he/she shall be entitled to various benefits as stipulated in the State of Iowa Worker's Compensation Act. For up to 90 workdays, the disabled employee will be placed on temporary job-related disability leave. The employee group health insurance and life insurance coverage will be provided by the city during the above-defined period. All other benefits will accrue during the job-related disability.

Since workers' compensation benefits only pay two-thirds of an employee's salary while off work for a work-related injury or illness, the city will continue to issue the employee a full paycheck. The employee will be required to sign over any checks he/she may receive from the workers' compensation insurance company to the City of Clarion. The full paycheck will be comprised of the two-thirds from workers compensation and the one-third from the employee's sick leave. This enables the

employee to suffer no financial hardship while recovering from a work-related injury or illness. The employee may also opt to receive two-thirds in a check from Workers' Compensation and one-third in a check from the City of Clarion. If the employee requests this pay plan, the one-third portion will come from the employee's sick leave.

If the disabled employee is not able to return to work after the passage of 90 calendar days, the City Administrator will review the case and determine if the employee will remain on temporary, job-related disability leave. If the temporary, job-related disability is extended, the City Administrator shall set the time period based on the circumstances in each specific case. Benefits will not accrue during the extended temporary job-related disability leave, and in no event, shall the leave be permitted to extend beyond one year.

An employee on extended temporary, job-related disability leave will be permitted to continue his/her coverage under the group benefits described herein.

The City Administrator, in each job-related disability case where the employee has exhausted all regular and/or special benefits, will make a report and recommendation to the City Council. The City Council will examine each respective case and determine if any additional compensation will be forthcoming to the disabled employee. The decision of the City Council shall be final in the matter.

- D. At any time during the period for which continuing compensation is required, the city may order, at the city's expense, a physical examination of the injured person to determine the degree of disability. At a point when the injured employee has recovered, and the designated physician has determined the employee is able to return to full duty, the injured employee may be required to satisfactorily pass a Physical Capacity Profile (PCP) test at the expense of the City.

During this period of disability, the injured person shall not be employed in any other manner, with or without monetary compensation. Any person who is employed in violation of this paragraph forfeits the monetary compensation provided from the time of injury. Any salary compensation or any salary from any types of insurance, which may be carried and paid for by the city, shall be given to the disabled employee.

An employee with a work-related injury or medical condition will be required to undergo a Physical Capacity Profile (PCP) Fit for Duty test, at the City's expense, prior to returning to work if the injury or illness involved restricted duty and/or lost time. The employee will be required to meet the job level requirements of their said job description or their previously determined baseline score on the PCP as documented in their medical file. Failure to meet the job level requirements of the pre-determined baseline will result in the employee's inability to work in their present position. Dependent upon availability, a job transfer may be assigned, or loss of employment may result. Based on the circumstances surrounding the employee's medical condition, long-term disability may be an option.

In the event the employee fails to meet the job level requirements; the employee may re-test between two weeks to 30 days of the initial test. The cost of the PCP test will be paid by the City of Clarion.

If an employee does not have an existing baseline score, their PCP test result will

become their baseline score. The employee will be required to complete the PCP test prior to returning to work following an injury or medical condition involving restricted duty and/or lost time.

- E. Although the city does not guarantee the employee's reinstatement to his/her original position, the city will permit the employee to resume his/her original status if the position is still in existence or vacant. If the position no longer exists or has been filled, the city will make an active effort to place the employee in a comparable position.

Employees who are capable of working at a reduced level and capacity following a duty-connected injury, may be assigned such work and conditions as benefit the city and the employee. Such matters shall be determined, adjusted, and terminated by the City Administrator in consultation with the department director, the employee, and such medical or professional personnel as appropriate.

- F. There are certain situations when injury or illness occurring in the work environment are not considered work-related (OSHA Reg. 1904.5(b)(2)).
 - 1. At the time of the injury or illness, the employee was present in the work environment as a member of the general public rather than as an employee.
 - 2. The injury or illness results solely from voluntary participation in a wellness program, fitness activity, or any type of recreational activity.
 - 3. The injury or illness is the result of an employee eating, drinking, or preparing food or drink for personal consumption (whether bought on the employee's premises or brought in).
 - 4. The injury or illness is the result of an employee doing personal tasks (unrelated to their employment) at the establishment outside the employee's assigned working hours.
 - 5. The injury or illness is caused by a motor vehicle accident and occurs on a company parking lot or company access road while the employee is commuting to or from work.

9.25 Worker's Compensation Occupational Disease

If an employee suffers an injury or disablement as the result of occupational disease, arising out of and in the course of his/her employment with the city, he/she should follow the same procedure previously stated for reporting the accidental injury.

All related billings and record of time off due to occupational illness must be forwarded to the City Clerk's office. Occupational illness claims will be filed under worker's compensation insurance.

9.26 Retirement and Pension

All employees shall participate in a retirement program governed by the policies and benefits as prescribed by the various retirement and pension programs. Both the city and the employee shall contribute an amount prescribed by the policy or statute. The current retirement programs and participants are Iowa Public Employees' Retirement System (IPERS) and Social Security (FICA).

An authorized agent or officer of the pension plan shall be responsible for contacting the employee to explain the benefits, policies, and procedures of the program.

Retirement age will be in accordance with applicable state and federal regulations.

Pursuant to the Iowa Public Employees Retirement System (Iowa Code Section 97B) and the Iowa Civil Rights Act (Iowa Code Chapter 216), those employees of the city who are members of the Iowa Public Employees Retirement System may remain in service beyond the date the member attains the age of sixty-five until attaining the age of seventy. However, after attaining the age of seventy, the member may remain in service to the city for periods as the City Council approves, and the member shall retire on the first day of the month following the last approved period.

The City Administrator has the option to participate in the Iowa Public Employees Retirement System, but can elect another option for retirement plans as outlined in the City Administrator Employment contract.

9.27 Transitional Duty

A. Purpose:

It is the policy of the city to provide meaningful work activity for all employees who temporarily become unable to perform all, or portions, of their regular work assignments due to conditions related to pregnancy, work-related or non-work-related injury or illness. By providing temporary transitional or modified work activity, injured or limited employees remain an active and vital part of the city. Return to Work duties may be in the form of either changed duties within the scope of their current position, or other available duties for which they may be qualified, or through a reduced work-hours schedule.

B. Scope:

All active employees who become temporarily unable to perform their regular job due to a compensable work-related or non-work-related injury or illness or conditions related to pregnancy, may be eligible for temporary work duties within the provisions of this program.

C. Application:

It is the employee's responsibility to inform the attending physician that the city provides a Transitional Duty Program.

If work is available which meets the limitations/restrictions set forth by the attending physician, the employee may be assigned transitional work for a period not to exceed 90 days. Transitional duty is a temporary program and the employee's eligibility for a temporary assignment will be based on medical documentation and continued recovery.

An employee's limitation/restrictions are effective 24 hours per day. Any employee not following their restrictions may cause a delay in their healing or may further aggravate their condition. By not following the restrictions, an employee may be subject to disciplinary action, up to and including termination.

An employee who is unable to return to his or her regular job, but is capable of performing transitional duty, must return to transitional duty if such duty is available. Failure to do so may result in not being eligible to receive full benefits under

the worker's compensation program, if applicable, may result in disqualification for certain employee benefits, and in some cases termination.

Transitional duty will be available to all employees on a fair and equitable basis, with temporary assignments being based on skill and abilities. Eligibility will be based upon review of the employee's attending physician's documented declaration of the employee's limitation/restriction. An employee on modified duty will be considered part of the regular shift staffing, with recognition of the employee's limitations in the department.

D. Procedure:

Transitional duty shall consist of the employee's normal work schedule, or a restricted work schedule in coordination with the employee's normal work schedule, when possible. However, dependent upon the employee's limitations/restrictions and available work, it may be possible to design a temporary schedule to accommodate the restrictions during a shift when such work is available/manageable.

E. Payment of Wages during Transitional Duty, Work-related injury or illness:

If an employee injury is determined to be work related, benefits/wages will be paid in accordance with the state workers' compensation statute, with regard for the "waiting period," and city policies.

If an employee on modified duty is unable to report to work, the employee may then be charged for up to eight (8) hours of sick leave per shift. Employees performing modified duty on a restricted work week (during the first 90 days of a worker's compensation leave) will receive payment for hours worked from the city and the hours not worked will be reimbursed according to state Worker's Compensation guidelines.

F. Payment of Wages during Transitional Duty, Non-work-related injury or illness or Conditions Related to Pregnancy:

An employee performing transitional duty for their normal work schedule shall receive their regular hourly rate for all hours worked.

If an employee on modified duty is unable to report to work, the employee may then be charged for up to eight (8) hours of sick leave per shift.

G. Vacation/Holiday:

If an employee has a vacation, or there is a holiday, while on transitional duty, they shall be entitled to their regular vacation selection or holiday pay as if they normally would have had it.

H. Medical Appointments:

Medical appointments that conflict with working hours must be coordinated, in advance, with employee's supervisor. Appointments are to be scheduled as to not interfere with working hours if possible. Non-emergency medical appointments NOT scheduled in advance may be cause for denial of the time off and subsequently ineligible for payment. It is the employee's responsibility to keep the city apprised of their status after each physician visit.

I. Family Medical Leave:

In the case of reduced work hours, Family Medical Leave may be applied to the hours

not worked.

In the case of an employee choosing not to participate in the Transitional Duty Program, unpaid Family Medical Leave may be applied.

If an employee is unable to return to their regular job or transitional duty, the absence must be approved under the Family Medical Leave program. For this purpose, a Family Medical Leave Request form must be submitted to the city. Employees must also have a health care provider complete a Medical Certification form.

Employees who are not eligible for leave under the Family Medical Leave Act must return to transitional duty or regular work if possible. If an employee is unable to return to any available work, their job position may be filled after a reasonable time (see 9.8.) When able to do so, employees will be entitled to return to a suitable position, if available and consistent with any limitations. However, employees must keep the city regularly informed of their status and any changes in their condition.

J. Returning to Full Duty

All employees must provide documentation from their attending health care provider that they are capable of returning to full duty.

All fulltime employees must provide documentation from their attending health care provider that they are capable of returning to full duty as well as (when applicable) a release stating that the employee may undergo a return to work, fit for duty, physical capacity profile test, or other physical review as deemed necessary.

Permanent restrictions will be evaluated on a case-by-case basis and relate to the performance of essential job functions. No permanent light duty positions will be created.

ARTICLE X – POLICY AND OPERATIONAL MATTERS

An employee shall not engage in any employment, activity, or enterprise that is inconsistent, incompatible, or in conflict with duties as an employee of the city or with the duties, functions, and responsibilities of the department by which employed.

10.1 Political Activity

To serve the best interest of the employee, taxpayers, and the city government, it is the policy of the City of Clarion to restrict certain types of political activity without infringing upon the employee's right to exercise their suffrage as citizens. The purpose is to safeguard the employee from pressure to financially or otherwise support any political party or person. Another important reason is to safeguard the interest of the public who all municipal employees must serve without political bias and without regard to their political opinions or affiliations.

This policy has been developed not to restrict one's constitutional rights, but to dramatize and protect the neutrality of public service personnel.

A. Therefore, employees are prohibited from:

1. Using their official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office;
 2. Directly or indirectly coercing, attempting to coerce, commanding, or advising a state or local officer or employee to pay, lend, or contribute anything of value to a party, committee organization, agency, or person for political purposes.
 3. Having political campaign items in their offices, city facilities, in city vehicles, or to wear such items on his/her person while on duty. Campaign items that have been retrieved due to having been illegally placed on city property and are being transported for disposal are exempt. Employees are allowed to have campaign bumper stickers on their personal vehicles.
- B. The use of the following in political advertisements is prohibited, and city employees shall not facilitate or accommodate such use:
1. City property not normally accessible to the public; and
 2. Employees in uniforms that display city insignia and logos or any use of city employees while on city time; and
 3. City equipment.

In practice, this means that candidates will be prohibited from attending city staff meetings. Also, they will be requested not to use film footage of such attendance that may have been taken during meetings prior to the start of their campaign, filming for political purposes on city property not normally accessible to the public will be prohibited, filming of city equipment for political purposes would be prohibited, including the use of police and fire vehicles, and that city employees will be prohibited from appearing in political advertisements wearing city equipment or city insignia or logos.

- C. On the other hand, employees on their own non-working time, shall be permitted to:
1. Express their opinions on political subjects and candidates;
 2. Take an active part in political management and political campaigns;
 3. Campaign for a candidate in a partisan election by making speeches or writing on behalf of the candidate;
 4. Attend political rallies or partisan campaign meetings;
 5. Transport voters to the polls for the voters' convenience, or;
 6. Make voluntary contributions to a political party or organization.
- D. All full-time employees of the city who wish to seek election to the City Council must take a leave of absence from city service. This leave is to begin with the first formal activities of the employee to obtain nomination or election to the office and will end upon completion of all activities with the office or the campaign, if not elected.

10.2 Outside Employment

Regular full-time employees shall not engage in any off-duty employment that is or may result in direct conflict with their job responsibilities for the City of Clarion. Those regular full-time employees who have outside employment or self-employment must notify their supervisor of the situation and advise of any potential conflicts. Police departmental rules and regulations govern off-duty employment by police officers.

10.3 Purchasing Policy

Any and all items purchased for the city must be properly authorized according to the City's purchasing policy. Failure to obtain approval encourages waste, fraud, and abuse. Consequently, employees found not abiding by the system will be subject to disciplinary action, up to and including dismissal.

10.4 Gifts or Gratuities

The requirements imposed by the Code of Iowa shall apply to all gifts to elected or appointed officials and city employees or their families. City services are not to be extended by employees in exchange for special awards, gifts or other remuneration from outside individuals or organizations. When an employee receives any offering as a result of his/her status as a city employee, such receipt must be reported in writing at once to the department director, and the retention of the gift will be based on the City Administrator's recommendation to and approval by the Mayor.

10.5 Conflict of Interest

- A. General. It is the policy of the city that no elected or appointed official or city employee, or the spouse, or minor child of an elected or appointed official or city employee, or a firm of which the elected or appointed official of the city is a partner or a corporation of which the elected or appointed official or the city employee holds ten percent or more of the stock either directly or indirectly, shall have any personal material interest or outside affiliation which would likely produce a conflict between their self-interest and proper performance of the elected or appointed official's or employee's duties. No knowledge gained by any elected or appointed official or employee in their role as such shall be used in such a manner as to cause a conflict between their personal interest and the city's interest. All elected or appointed officials or employees shall conduct their personal affairs to avoid any conduct that may adversely affect or appear to affect the judgment of the elected or appointed official or employee. The Code of Iowa may have additional guidelines and requirements.

The following guidelines are hereby established with respect to this policy:

1. Personal Financial Interests

Elected or appointed officials or city employees, or the spouse or minor child of an elected or appointed official or city employee, or a firm of which the elected or appointed official or the city employee is a partner or a corporation of which the elected or appointed official or the city employee holds ten percent or more of the stock either directly or indirectly should avoid participating financially, directly or indirectly, in any business enterprise which might influence, or be thought to influence, the official decisions or actions of the elected or appointed

official or city employee. In making judgments regarding such participation, they should consider whether their financial interests in any such business enterprise that has or may have a business relationship with the city represents a substantial portion of their net worth or a substantial portion of the ownership of such business enterprise.

2. Outside Affiliations

No salaried city employee shall hold any position with any other business enterprise or governmental body which would conflict with or reasonably might be likely to conflict with the proper performance of his/her civic duties or responsibilities or which might tend to influence his/her impartial judgment with respect to dealings between the city and such other business enterprise or governmental body without full and complete disclosure to the City Council or Mayor.

- B. Disclosure. If any time an elected or appointed official or city employee, or the spouse, or minor child of an elected or appointed official or city employee, or a firm which the elected or appointed official or the city employee is a partner or a corporation of which the elected or appointed official or the city employee holds ten percent or more of the stock either directly or indirectly finds that they are considering the assumption of a financial interest or outside relationship which reasonably might involve a conflict of interest with the city or with respect to which they are in doubt as to whether it does or might conceivably conflict with the official duties of the elected or appointed official or city employee, it shall be the duty of the elected or appointed official or city employee to make timely disclosure of the facts relating thereto to the Mayor, council, City Administrator, or department director, which is their immediate superior or the commission, board, or committee which he/she is a member of in order that an objective and impartial evaluation thereof may be made and conflict avoided. Under such circumstances, except as otherwise instructed by the city after the full disclosure of the facts, he/she should refrain from exercising responsibility in any matters concerning the city which reasonably might be considered to be affected by his/her self-interest.

10.6 Use of City-Owned Vehicles

City-owned vehicles will be provided to those employees or their designated representatives who are subject to emergency calls. Employees provided with vehicles include the Police Chief and Public Works Director. It is beneficial to the city to have these employees take city vehicles home.

City vehicles shall be used in the most economical and efficient manner, solely for the performance of city business. No city-owned vehicles shall be used for personal benefit or personal business, unless authorized by the City Administrator.

When extended trips are required, authorization may be given by the City Administrator allowing an employee to use his/her own automobile for official city travel. Reimbursement to the employee for use of his/her own automobile shall be at the rate per mile authorized by the City Council. Motor vehicle driving records will be checked for each employee required to drive as part of his/her duties.

10.7 Use of Private Vehicles

If the city employee is required to use private transportation to fulfill the job requirements of employment by the city, a mileage reimbursement is authorized for all trips approved by the appropriate department director. Use of a private motorcycle or bicycle for work purposes is strictly prohibited.

Whenever practicable, employees shall use city vehicles, and the most direct route should be used. When the use of private vehicles is authorized to fulfill job requirements, the mileage reimbursement shall be computed at the rate established by the Internal Revenue Service. The per mile reimbursement includes all costs incurred in connection with the operation of the vehicle. When the use of private vehicles is authorized to fulfill job requirements outside of the State of Iowa, pre-authorization is required. The City Administrator will handle mileage reimbursement on a case-by-case basis.

All employees operating official vehicles, equipment, personal and rental cars on official business and other occupants are required to wear seat belts and shoulder restraints. Employees are also prohibited from riding in or on parts of a vehicle not designed for human occupancy. This includes but is not limited to pick up and truck boxes, fenders, steps and bumpers. The only exception to this policy is when the driver and front seat occupants are engaged in work requiring frequent exiting of the vehicle, provided they travel at a speed not exceeding 25 mph. Failure to comply with these rules is a violation of City safety policies, which is cause for disciplinary action.

10.8 Reimbursement for Loss of Personal Items

The City of Clarion will not reimburse to any employee in any manner or form, any personal objects, possessions, or clothing that are lost or damaged, either while on duty or off duty, unless the employee can prove liability rests with the city. Personal objects are defined as possessions and clothes purchased and maintained by the employee, and not purchased or maintained by the city.

In order that all employee requests might be processed in accordance with the foregoing policy, all departments shall use the following procedures:

- A. The employee shall submit to his/her department director a request for reimbursement along with a full description of what contributed to the loss and the extent to which the city or one of its employees was liable or responsible for the loss sustained. The statement is to include substantiation as to why the personal item was necessary to have at work.
- B. The appropriate department director will review the incident and the facts and present a report and recommendation to the City Administrator on disposition of the claim.
- C. The City Administrator will review the loss of any personal object, possession or clothing that is lost or damaged, either while on duty or off duty and either declare the claim invalid and so advise the employee, or present it to the City Council for reimbursement, in part or full. The decision of the City Council is final and shall be communicated to the employee by the department director.

10.9 Press Releases

To ensure accuracy in the city's press releases and documents intended for widespread public or staff distribution, all such releases must be reviewed and approved by the City Administrator prior to distribution.

10.10 Use of City Telephones

- A. Employees shall observe the rules of telephone courtesy in receiving and placing calls.
- B. Employees are permitted to use city telephones for personal reasons only in cases of absolute necessity. This is a privilege and not a right and may be withdrawn by the department director if abused through excessive use, or if telephoning causes interference with work duties.
- C. Toll calls for personal reasons may be made only with the approval of the department director and at the employee's expense.
- D. Employees shall discourage persons from telephoning them at work for personal matters.
- E. Employees shall not use their personal cell phones at public service counters in City buildings.

10.11 Solicitation, Selling, and Peddling Among Employees

Unless authorized by the City Administrator, solicitation among city employees during working hours for charitable or any other purpose, and selling of tickets, chances, magazines or merchandise of any kind is only allowed on employee break room tables, employee bulletin boards, or in the employee newsletter. Employees shall not engage in oral solicitation for any purpose during working time. These restrictions apply to all solicitation, selling, or peddling of every nature, whether by city employees or non-employees.

10.12 Clarion Logo

The City's logo, while only one component of what comprises the City's identity, is a communication tool and asset that must be protected and nurtured.

When any purchase is being planned, which will include the use of the Clarion logo, the City Administrator must approve the use of said logo before such purchase is made. Whenever anything with the Clarion logo is to be disposed of, it must be disposed of properly. Donating an item (for example to Goodwill) is not acceptable.

10.13 Clarion Name

Employees may not use the city's name or represent themselves as the city to enter any type of contest. No contests may be entered while employees are on duty (example: call-in radio station contests).

10.14 Personal Mail/Postage

Use of the city's postage machine/system for personal correspondence is prohibited.

10.15 Punctuality

Employees are expected to report promptly at their designated starting time at their assigned workstation, and be ready to begin work at that time.

If an employee knows that he/she will be fifteen or more minutes late, the employee must notify his/her immediate supervisor prior to coming to work, if possible, and state the reason for the tardiness and the approximate time when he/she expects to report to work. If a non-exempt employee is habitually late, wages will be deducted in one-quarter-hour increments and, whether exempt or not, may be subject to disciplinary action.

10.16 Unexcused Absenteeism & Tardiness

If an employee fails to furnish his/her supervisor with a reasonable explanation for missing work or for tardiness, or for missing work without available time off, the absence will be recorded as an "unexcused" absence in the employee's personnel file. If an absence is unexcused, the employee will not be allowed to utilize any accrued vacation days, personal days, or sick days to receive pay for that day, and therefore, will not be paid for the unexcused absence.

Employee attendance records that show poor attendance or tardiness are to be reviewed by the supervisor and/or department director, and where such attendance is deemed unacceptable, the supervisor or department director shall have the authority to issue a formal reprimand and/or suspension without pay or recommend to the City Administrator dismissal of the employee. All written reprimands and suspensions shall be forwarded to the City Clerk's office for inclusion in the employee's personnel file. Any recommendation for dismissal shall be sent to the City Administrator.

10.17 Changes of Name, Address, Marital or Family Status

The City Clerk's office must be advised by the employee of any change in personal status for the following reasons:

- A. Correct personal information will ensure up-to-date and accurate coverage on the retirement, insurance, and other benefit plans, and the proper reporting of wage information to the state and federal government; and
- B. The information may be used on the employee's behalf in case of an emergency or illness.

ARTICLE XI – INTERNET, E-MAIL & VOICE MAIL USAGE

The purpose of this policy is to provide guidelines regarding the use of the internet, e-mail and voice mail services by employees of the City of Clarion who are authorized for such uses by the city. These services are financed by the City of Clarion to support the access and exchange of information. Use of the internet, e-mail, and voice mail shall be primarily for job-related purposes.

Time away from regular work duties shall not be taken to either send or receive personal e-mail, voice mail, or for the personal use of the Internet. There may be occasions when personal messages may either be received or sent on e-mail or voice mail. This is permissible as long as messages are brief, privileges are not abused, and it does not affect the job performance of the employee or their co-workers. Employees using the city's account to access these services represent the city during their use, and such use should reflect ethical behavior and appropriate use of city resources.

11.1 Acceptable Uses

- A. City Business: The internet is to be used as it pertains to the employee's job including work assignments, research, training, policies, and services.
- B. Communication with city employees: E-mail may be used to communicate with city employees, governments, educational institutions, professional colleagues or organizations, businesses, and other individuals or agencies related to city business.
- C. Distribution of Information: On-line services may be used to distribute information to the public and to the news media. Release to the news media must be approved by the City Administrator and is allowable for release under the Freedom of Information Act.

11.2 Unacceptable Uses

- A. No employee shall use the City's internet, e-mail or voice mail services to generate, store, transmit, or use data that is abusive, profane, obscene, or offensive. Unacceptable uses also include games, political activity, religious promotion, fundraising outside the scope of City-sponsored activities, violation of copyright laws or patents, or illegal, fraudulent, or malicious activity. Employees shall not use City Internet access to maintain personal websites, web pages, or personal social media accounts. Except as required by job duties, employees shall not: participate in gaming sites, newsgroups, chat rooms, or instant messaging services; execute or download streaming media applications; or participate in any "peer-to-peer" (file sharing) services as these may compromise the City's network security perimeter.
- B. Current City Policy. No employee shall use the City's internet, e-mail, or voice mail services to obtain or transmit text or images that are in violation of the sexual harassment policy of the city.

The internet, e-mail, and voice mail systems, as well as all communication or information transmitted or received from these systems, is the property of the City of Clarion. The city reserves the right, and intends to exercise the right, to review, monitor, audit, and disclose, without prior notification to employees, any and all communications and data created or received via any City equipment, including computers and phones. Employees who use the e-mail and internet systems cannot assume the system affords them any level of confidentiality or privacy. The City Administrator may view any email, internet usage and computer files at any time. Employees found to have engaged in unauthorized uses of this policy are subject to disciplinary action up to and including termination.

The City does not retain any responsibility for email received from a source outside of the City. Some email received from the internet may contain offensive language or images. The City has taken reasonable measures to reduce spam and potentially offensive email by implementing a

spam filter. However, the City cannot guarantee that all offensive email messages will be prevented from reaching employees.

Nothing contained in this policy shall be interpreted as interfering with an employee's rights under Section 7 of the National Labor Relations Act or the Public Employment Relations Act.

ARTICLE XII – SOCIAL MEDIA USE

The City has created various social media accounts for the purpose of informing the public about City business, services, and events. The City of Clarion's Social Media Use Policy establishes policies and procedures governing employee use of such social media accounts. Employees who are required by job duties to engage in social media networking should become familiar with the following policies and procedures established in regard to social media.

12.1 Purpose

This administrative policy establishes the policies and procedures governing social media use by City of Clarion Departments, Council, Boards, and Commissions. In addition, this policy addresses the responsibilities of individual employees and elected and appointed officials with regard to social media and the use of city resources (time/equipment) as well as responsibilities related to public records and open meeting laws.

Social media accounts shall be used for the purpose of informing the public about city business, services, and events. All official City of Clarion presence on social media accounts are considered an extension of the City's information networks.

The benefits of social media for the City of Clarion are:

- To provide the community with an open forum to inquire, discuss, and respond to city business, services, and events.
- Enable Departments, Council, Boards, and Commissions with the ability to respond to citizens' concerns or provide urgent updates in real time.

12.2 Definitions

City of Clarion Social Media Use Policy: Designed with a broad focus to help employees freely and creatively participate in social media platforms, by focusing on high-quality practices, while maintaining continuity of the city's image.

Social Media: Various forms of discussion and information-sharing, including social networks, blogs, video sharing, podcasts, wikis, message boards, and online forums. Technologies include: picture-sharing, wall-postings, fan pages, email, instant messaging, and music-sharing. Examples of social media applications include, but are not limited to, Google, Bing, and Yahoo (reference, social networking); SnapChat (social networking); Facebook (social networking), YouTube (social networking and video sharing); Instagram (photo sharing); Twitter (social networking and microblogging), LinkedIn (business networking), and news media comment sharing/blogging.

Social Networking: The practice of expanding business and/or social contacts by making connections through web-based applications. This policy focuses on social networking as it relates to the Internet to promote such connection for official city business and for employees,

elected, and appointed officials who are using this medium in the conduct of official city business.

12.3 Policy and Procedures

- A. The City Administrator or designee will review and approve all Departmental requests to create social media accounts.
- B. The City's website, www.clarioniowa.gov, will remain the official location for content regarding city business, services, and events. Whenever possible, links within social media formats should direct users back to the City's website for more information, forms, documents, or online services necessary to conduct business with the City of Clarion.
- C. Links to all social media accounts to which the city belongs are to be listed on the city's website. Interested parties wishing to interact with these accounts will be directed to visit the city's website for information on how to participate.
- D. All city social media accounts should be viewable to the public and not use privacy settings.
- E. The city logo and authorized departmental extensions should be used on all social media accounts to confirm authenticity of site.
- F. Departments that use social media accounts are responsible for complying with applicable federal, state, and local laws, regulations, and policies. This includes adherence to established laws and policies regarding copyright, records retention, Freedom of Information Act (FOIA), First Amendment free speech rights, privacy laws, and information security policies established by the City of Clarion.
- G. City social media accounts should only join a group or become a fan of a page if it is related to city business, services, and events.
- H. Online representation on social media accounts is ultimately the responsibility of the Department Director.
 - 1. Department Directors will appoint a social media moderator(s) to control the social media account who will ensure the appropriateness of content.
 - 2. Designated moderator(s) should:
 - a. Be an employee or official volunteer of the City of Clarion.
 - b. Be familiar with City of Clarion's personnel policies.
 - c. Understand the scope of responsibility and be appropriately trained to interact on behalf of that Department.
- I. Departments should design a regimen to regularly monitor and update accounts at least twice a week. Departments should also address how they will utilize social

media accounts during an emergency within their respective department Emergency Operations Plan.

- J. Employees representing the City of Clarion via social media accounts must conduct themselves at all times as representative of the City of Clarion. Employees who fail to conduct themselves in an appropriate manner shall be subject to the Disciplinary Action Procedures outlined in the Personnel Policy Manual.

12.4 Posting/Commenting Guidelines

- A. When posting information to the City's social media sites, moderators must adhere to the following:
1. All messages posted to social media accounts should strengthen the City's image, increase positive publicity, and improve community relations.
 2. Moderators must ensure information is accurate, timely, and appropriate.
 3. Moderators must consistently check feedback and responses posted to the social media account to reduce/eliminate inappropriate discussions/posts.
 4. All content is to be fully accessible to any person requesting documents from that site.
 5. Before posting someone else's material, receive permission in writing from the owner.
 6. When disagreeing with others' opinions, keep it appropriate and polite. Provide factual information, rather than subjective information.
 7. Always pause and think before posting. If you are unsure, check with Department Director or City Administrator first. It's better to err on the side of caution.
 8. Stick to your area of expertise. For example, if Aquatics receives a question about Library Summer Program registration, it is not appropriate for Recreation staff to answer the question since it's not the Department's area of expertise. Instead the moderator should direct the question to the appropriate department.
- B. Acceptable forms of posted material include, but are not limited to:
1. Text
 2. Multimedia video
 3. Live streaming video
 4. Photographs or graphics
 5. Links

- C. To assure that information posted on social media accounts are official, timely, and accurate, all material posted should be tied to the moderator(s)' City of Clarion email account, or, if necessary, forwarded from a personal account to a City account.
- D. Postings and comments to the City of Clarion social media accounts containing any of the follows forms of content will not be allowed:
1. Profane language or content.
 2. Content that promotes, fosters, or perpetuates discrimination of protected classes under the Equal Employment Opportunity/Affirmative Action Policy Plan of the City of Clarion
 3. Explicit sexual or harassing content, images or links to sexual or harassing content, images, or links.
 4. Information that may compromise the safety or security of the public or public systems; or content that violates a legal ownership interest of any other party.
 5. Conduct or encouragement of illegal activity.
 6. Solicitation of others for commercial ventures or religious, social, or political causes
 7. Personal information about employees.
 8. Off topic discussions or postings.
 9. Making or publishing of false, vicious, or malicious statements concerning any employee, supervisor, official, the city, or its operations.
 10. Chat sessions in any social media accounts will not be used.
- E. The City Administrator, or designated representative, reserves the right to delete submissions that are deemed inappropriate, according to prescribed unacceptable content standards. If any record is deleted for unacceptable content, it is still that Department's responsibility to retain a public record of that content and keep a running record of why the information was removed.
- F. Friends, fans, or followers should be removed if they continue to post inappropriate content. One warning should be given. If the individual posts inappropriate content a second time, they should be removed or blocked. The following verbiage can be used to warn individuals about their content: *"Your recent post is in violation of the City of Clarion's Social Media Policy. Please refrain from posting inappropriate content in the future. If you do not refrain from posting such content, we will regretfully have to block you from further posts. Thank you for understanding."*
- G. Material that is tagged to departmental accounts should be monitored to ensure appropriateness. If the tag is inappropriate, moderators or designees should remove the tag promptly.

12.5 Security of Social Media Accounts

- A. The following protection strategies should be implemented within Departments using social media accounts:
1. Moderators should never leave a workstation unattended when logged on the social media account.
 2. Only the Department Director, or designee, and moderator(s) should know login and password to social media account(s).
 3. If moderator(s) change, login and password should also change.
- B. If security of social media account has been comprised, the Department Director or designee should:
1. Respond quickly.
 2. Change login and password information immediately.
 3. Acknowledge security breach to social media followers.
 4. Look for signs of damage and make necessary corrections.
 5. Report incident to City Administrator.

ARTICLE XIII - DISCIPLINARY ACTION

Whenever an employee violates any of the policies, regulations, or code of ethics outlined in this employee handbook, the department director or supervisor may institute disciplinary action in any of the categories listed below, depending on the seriousness of the offense committed. These disciplinary procedures are merely guidelines. They are not listed in any particular order and there is no requirement that any particular disciplinary action precede any other action. The city may choose to implement any of the procedures listed, including immediate discharge at any time, depending on the seriousness of the violation. The city reserves the right to change, alter, or terminate any of the disciplinary procedures at any time.

If an employee has a complaint concerning his/her job classification, disciplinary action, supervisor, rules, regulations, policies, work station or conditions, the action of others, salary, or benefits, he/she is to do the following:

- The employee should first discuss and present the matter with his/her immediate supervisor within five days of the event, giving rise to the dispute. If the issue involves a conflict with the employee's direct supervisor, the employee should contact the City Administrator and/or HR Committee.

13.1 Oral Reprimands

The employee shall be counseled concerning the unsatisfactory areas of work. Only the department supervisor, department director, or the City Administrator may issue oral reprimands. Oral reprimands shall be documented as a record of conversation in the employee's personnel file. The employee will be notified of such action and will be asked to sign the documentation before it is placed in the personnel file. The supervisor issuing the oral reprimand shall also sign and date the record of conversation.

If the employee refuses to sign the record of conversation, such refusal shall be noted on the document, signed by the supervisor, initialed by the City Administrator, and placed in the employee's personnel file.

13.2 Written Reprimands

A written reprimand shall include a statement of the problem and a notation to the effect that the problem was discussed with the employee in question. A copy of the written reprimand shall be included in the employee's personnel file. The employee will be notified of such action and will be asked to sign the documentation before it is placed in the personnel file. Only a department director, supervisor, or the City Administrator may issue written reprimands and they are to sign and date the document. The employee has the right to document his/her comments regarding the situation.

If the employee refuses to sign the written reprimand, such refusal shall be noted on the document, signed by the supervisor, initialed by the City Administrator, and placed in the employee's personnel file.

13.3 Suspensions

Any action on the part of an employee which is in violation of the orders of the supervisor or contrary to the policies or rules of the department or the city, but not serious enough to warrant dismissal, may be disciplined by suspension without pay. A supervisor may recommend such action be taken, but any suspension must be approved by a department director or the City Administrator. Any suspension over three days must be approved by the City Administrator. A copy of the notice of suspension that has been signed by the employee and the supervisor will be placed in the employee's personnel file. If the employee refuses to sign the notice of suspension, such refusal shall be noted on the document, signed or initialed by the City Administrator, and placed in the employee's personnel file.

FSLA exempt personnel may be suspended in one-week increments only.

Any city employee who is suspended is required to turn in their city keys while serving the period of suspension. Following procedures set forth in Section 13.8 of this manual and Section 80.F of the Code of Iowa, any peace officer must surrender his or her badge and/or service weapon to the Police Chief during the suspension period.

13.4 Discharge

Any recommendation for the discharge of a city employee must be to the City Administrator. The

City Administrator will make a determination whether to terminate the employee or if other action should be taken to remedy the situation. The employee may be given a letter of termination outlining the reason(s) being given for the discharge.

It should be emphasized that department supervisors, department directors, or the City Administrator are not required to go through all the procedures (oral reprimand, written reprimand and suspension) outlined. Discipline may begin at any level depending on the seriousness of the offense committed. In addition, the department supervisor, department director, or the City Administrator may repeat any of the first three procedures when he/she feels it is necessary, so long as the discipline is commensurate with the offense committed. If there is any doubt what step to begin with, the City Administrator should be consulted.

13.5 Disciplinary Action

The form and degree of disciplinary action shall be commensurate with the seriousness of the events or conditions giving rise to the need for discipline. Nothing in this disciplinary policy shall be construed to interfere with or supersede rules of discipline and other regulations governing civil service employees.

The following list of offenses may result in a city employee disciplinary action, excluding individuals covered under civil service rules and regulations. The list is not all inclusive and exhaustive but instead merely illustrates the type of behavior that may result in disciplinary action: inefficiency, insubordination, incompetence, failure to perform required duties, narcotic addiction, dishonesty, un-rehabilitated alcoholism, negligence, conduct adversely affecting the employee's performance, charged with a felony offense or conviction thereof, conviction of a crime involving moral turpitude, conduct unbecoming of a public employee, or misconduct.

13.6 Code of Ethics/Rules of Conduct Applicable to All Employees

The employment of every employee shall be contingent upon acceptable conduct, satisfactory performance of duties, and compliance with personnel rules and regulations. The following lists are not exhaustive or exclusive, but rather examples of actions that may result in the employee receiving disciplinary action:

- A. That the employee is incompetent, negligent, or inefficient in the performance of his/her duties;
- B. That the employee has been abusive in his/her attitude, language, or has been abusive in his/her conduct toward fellow employees, superiors, or the public;
- C. That the employee has violated any lawful or official regulation, order or rule, or failed to obey any lawful and reasonable direction given to him/her by his/her supervisor;
- D. That the employee has taken for personal use a fee, gift, or other valuable thing in the course of work or in connection with employment without reporting its receipt to his/her department director and the manager;
- E. That the employee, through negligence or willful misconduct, has caused damage to

public property or waste of public supplies;

- F. That the employee has been absent without leave or has failed to report upon the expiration of an approved leave of absence;
- G. That the employee has directly or indirectly participated in a local political campaign in any manner as to violate any of the regulations set forth in the political activity section of this manual;
- H. That the employee has solicited private business for personal reasons during working hours or has used his/her city position to try to secure or to conduct private business;
- I. That the employee has made a false statement in his/her application for employment;
- J. That the employee has hindered the regular operation of the department because of unauthorized absenteeism, tardiness, or has absented himself/herself from duty during regular working hours;
- K. Reporting to work under the influence of alcohol or a controlled substance/s, possessing, distributing or consuming alcohol or a controlled substance/s while on-duty. If an off-duty employee is called in to work, and he/she advises the supervisor that he/she has been socially consuming alcoholic beverages or taken a medication that may diminish his/her capacity, the employee shall not be required to report for duty;
- L. That the employee has used city vehicles or equipment without proper authorization.
- M. That the employee has been involved and at fault in an avoidable accident on the job in a city vehicle or on city property;
- N. That the employee has operated city vehicles in an unlawful or hazardous manner;
- O. That the employee has misappropriated city funds, appropriated city property for personal use without permission, or illegally disposed of city property;
- O. That the employee has demonstrated conduct unbecoming an employee of the city while on or off duty;
- P. That the employee has submitted a false report of his/her conduct of service;
- Q. That the employee has submitted a false report against another employee;
- R. A specific failure to meet certain standards of conduct and/or work performance, or a general lack of performance in an area of employment;
- S. Dishonesty, theft, or fraud;
- T. Insubordination - refusal to follow orders and instructions directly related to the performance of his/her job;
- U. Outside employment that is inconsistent with the city's goals, objectives, and

- policies, and/or that reflects negatively on the city's operations;
- V. Violation of the state gift laws as they apply to public employees;
- W. Unauthorized use of computer-related resources belonging to the city, which include, but is not limited to, computers, computer-related equipment, computer programs, computer systems, or modems;
- X. Unauthorized use of city telephones/fax for personal business;
- Y. Accepting unauthorized employment while on leave-of-absence;
- Z. Creating unsafe or unsanitary conditions;
- AA. Smoking in prohibited areas;
- BB. Unauthorized use or disclosure of information or records;
- CC. Refusal to work overtime when a reasonable request is made that allows the employee sufficient time to alter personal plans. If the request to work overtime is due to an emergency situation, the employee needs to be made aware of the importance of the request and barring extreme personal circumstances, they are expected to report for work;
- DD. Unauthorized removal of city or a fellow worker's property;
- EE. Failure to follow procedures outlined in this Personnel Policy Manual;
- FF. Fighting or horseplay on the job;
- GG. Representing their personal opinion/s as those of the City of Clarion;
- HH. Creating strife, discord, and disharmony among other city employees;
- II. Disclosure of confidential information protected by federal, state, or city law, or commonly recognized as privileged or confidential information;
- JJ. Sleeping while on duty;
- KK. Display of any type of violence in the workplace.
- LL. Any other action or failure to act which adversely affects the city, its officers, or employees;
- MM. Failure to maintain appropriate Iowa driver's license as required by his/her job description;
- NN. Failure to maintain a required concealed weapons' permit as required by his/her job description;
- OO. Failure to follow established safety policies and guidelines established by his/her

department;

PP. Submits or provides false information.

In addition, all employees must observe the following rules:

- A. All employees shall observe city ordinances and shall exercise reasonable care when driving any city vehicle;
- B. All employees shall be courteous at all times in dealing with the public. Employees should listen carefully to complaints and refer them to the proper person for appropriate action;
- C. All employees shall follow established safety policies and guidelines established by their department;
- D. Any employee involved in a reportable accident involving city equipment should immediately notify the police and the department director. Vehicles should not be moved until police arrive and take charge of the scene;
- E. City vehicles shall be used only for city business. No city vehicle shall be used after working hours, unless permission is obtained from the City Administrator. All city equipment shall be restricted to assigned departments and shall not be borrowed unless permission is obtained from proper department directors. No city vehicles shall be used for personal errands, personal transportation, or other such business unless permission is obtained from the City Administrator;
- F. Uniforms provided for employees shall be worn only during working hours or for official city business outside working hours. Uniforms may be worn to or from work, unless department rules specify otherwise, but are not to be worn on any personal activity.

13.7 Internal Handling of Complaints Against Police and Fire Personnel

According to the Peace Officer Bill of Rights, in the Iowa Code, the procedural requirements listed below for internal handling of complaints against police and fire personnel will be followed.

- 1. A formal administrative investigation of an officer shall be initiated and completed in a reasonable period of time and an officer shall be notified of the results of the investigation when completed.
- 2. An officer shall not be compelled to submit to a polygraph examination against their will except as otherwise provided in Iowa Code, Section 730.4(3).
- 3. An officer who is the subject of a complaint will be provided a written summary of the complaint prior to an interview. If the complaint alleges domestic abuse, sexual abuse, or sexual harassment, an officer will not receive more than a written summary of the complaint.

4. An officer being interviewed will be advised by the interviewer that the officer is required to answer the questions and be advised that the answers will not be used against the officer in any subsequent criminal proceeding.
5. An interview of an officer who is the subject of the complaint will be audio recorded.
6. The officer has the right to have legal counsel or designee present, at the officer's expense during the interview of the officer.
7. If a formal administrative investigation results in the removal, discharge, suspension, or other disciplinary action against an officer, copies of any witness statements and the investigative agency's report will be provided to the officer upon request.
8. An interview shall be conducted at City of Clarion facilities. If an interview is conducted while an officer is off duty, the officer shall be compensated as provided by law.
9. If a complaint is determined by the investigating officer to be a violation of Iowa Code Section 718.6, the investigating officer is responsible for filing the necessary paperwork with the county attorney's office in order for the county attorney to make a determination as to whether to charge the person with a violation of the State Code.
10. An officer shall have the right to pursue civil remedies under the law against a citizen arising from the filing of a false complaint against the officer.
11. Regardless of any other provision of state law to the contrary, an officer shall not be denied the opportunity to be a candidate for any elected office as long as the officer's candidacy does not violate the federal Hatch Act, 5 U.S.C. Section 1501, et seq. An officer may be required, as a condition of being a candidate, to take a leave of absence during the campaign. If the officer is subject to State Code Chapter 341A and is a candidate for county sheriff, the candidate, upon the candidate's request, shall automatically be given a leave of absence without pay as provided in Iowa Code Section 341A (18).
12. An officer has the right to engage in political activity except while on duty as long as the officer's political activity does not violate the federal Hatch Act, 5 U.S.C. Section 1501, et seq. An officer shall not be required to engage in political activity by the City of Clarion, a representative of the City of Clarion, or any other agency.
13. An officer shall not be discharged, disciplined, or threatened with discharge or discipline in retaliation for exercising the rights of the officer enumerated in this section.
14. The City of Clarion will not publicly release the officer's official photograph without the written permission of the officer or without a request to release pursuant to Iowa Code, Chapter 22.
15. If a formal administrative investigation results in removal, discharge, suspension, or disciplinary action against an officer, and the officer alleges in writing a violation of the provisions of this section, the City of Clarion will hold in abeyance for a period of ten days any punitive action taken as a result of the investigation, including a

reprimand. An allegation of a violation of this section may be raised and given due consideration in any properly authorized grievance or appeal exercised by an officer.

APPENDIX

Request For Medical Review and/or Drug Screen

Supervisor Requesting Review: _____

Employee of Who Review is Requested: _____

I request a _____ **Medical Review**, _____ **Drug Screen** (check one) for the above-mentioned employee. I have observed the following changes in his/her behavior or performance:

- _____ - excessive tardiness
- _____ - excessive absenteeism
- _____ - noticeable mental or physical imbalance
- _____ - incoherence
- _____ - disorientation
- _____ - reportable accident
- _____ - other (please specify) _____

Supervisor

City Administrator

Date: _____

Date: _____

Information About Hepatitis B Vaccine

The Disease

Hepatitis B is a viral infection caused by Hepatitis B Virus (HBV) that causes death in 4,000 - 5,000 persons/year. Most people with hepatitis B recover completely, but approximately 6-10 percent become chronic carrier of the virus. Most of these persons have no symptoms, but can continue to transmit the disease to others. Some may develop chronic active hepatitis and cirrhosis. HBV also appears to be a causative factor in the development of liver cancer. Thus, immunization against Hepatitis B can prevent acute hepatitis and also reduce sickness and death from chronic active hepatitis, cirrhosis, and liver cancer.

The Vaccine

The vaccine is a synthetic product, genetically engineered using recombinant DNA technology. A high percentage of healthy people who receive two doses of vaccine and a booster achieve high levels of surface antibody (anti-HBs) and protection against Hepatitis B. Persons with immune-system abnormalities, such as dialysis patients, have less response to the vaccine, but over half of those receiving it do develop antibodies. Full immunization requires three doses of vaccine over a six-month period, although some persons may not develop immunity even after three doses. There is no evidence that the vaccine has ever caused Hepatitis B. However, persons who have been recently infected with Hepatitis B virus prior to receiving the vaccine may go on to develop clinical hepatitis in spite of immunization. The duration of immunity is unknown at this time.

Possible Vaccine Side Effects

The vaccine had been tested in over 10,000 persons, and the incidence of side effects is very low. A few persons experience soreness and redness at the site of injection (less than 10%). Low-grade fever may occur; rash and malaise, chills, sweating, and fatigue have also been reported in fewer than 1%.

Allergic reactions can occur in patients who are hypersensitive to any component of the vaccine. Also, if the vaccine produced from the recombinant strain of yeast is used, patients allergic to yeast should not receive the vaccine. The vaccine should not be given to a pregnant patient unless essential. Patients are discouraged from getting pregnant during the 6 months of the immunization series, as well as 2-4 weeks after the last (third) immunization. Caution should be used in administering the vaccine to a nursing mother. The possibility exists that more serious side effects may be identified with more extensive use.

IF YOU HAVE ANY QUESTIONS ABOUT HEPATITIS B OR THE HEPATITIS B VACCINE, PLEASE CONSULT YOUR PERSONAL PHYSICIAN.

Hepatitis B Vaccination Consent/Refusal Form

I am aware that a yeast-derived (recombinant) Hepatitis B vaccine is available and is the vaccine that is provided.

I have read both statements on this form about Hepatitis B and the Hepatitis B vaccine. I have had an opportunity to ask questions and understand the benefits and risks of the Hepatitis B vaccination. I understand I must have three doses of vaccine to confer immunity. However, as with all medical treatment, there is no guarantee that I will become immune, or that I will not experience an adverse side effect from the vaccine.

Please check one of the following:

I have started the series, but have not completed it.

I wish to start the series.

Name _____
Please Print Occupation/Position

Signature _____ Date _____

VACCINE RECORD

	<u>Date</u>	<u>Lot No.</u>	<u>Site</u>	<u>Person Administering</u>
Dose 1	_____	_____	_____	_____
Dose 2	_____	_____	_____	_____
Dose 3	_____	_____	_____	_____

Return your complete form to your department supervisor if you wish to start the vaccination series, if you have been vaccinated, or are declining to receive the vaccination at this time.

Hepatitis B Vaccine Declination

I understand that due to my occupational exposure to blood, or other potentially infectious materials, I may be at risk of acquiring Hepatitis B virus (HBV) infection. I have been given the opportunity to be vaccinated with Hepatitis B vaccination at this time. I understand that by declining this vaccine, I continue to be at risk of acquiring Hepatitis B, a serious disease. If in the future I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with Hepatitis B vaccine, I can receive the vaccination series at no charge to me.

Any employee, who elects to begin the series of inoculations and fails to complete the series within six months of receiving the first dose, will be suspended without pay until such time as he/she completes the series. The suspension without pay "may" be waived under extremely mitigating circumstances, as determined by the City Administrator. If for any reason employment with the City of Clarion ends before the series of vaccinations is complete, the employee is responsible for completion of the series and any costs involved.

Please check the appropriate box (or boxes) below:

- I am not interested in receiving the Hepatitis B vaccine at this time.
- I have completed the three-dose vaccine series.
- I am not exposed to blood or body fluids.
- I am already immune to Hepatitis B.

Name _____
Please Print Occupation/Position

Social Security Number _____

Signature _____ Date _____

CITY OF CLARION
Driving Record Authorization Form

I authorize the City of Clarion to obtain my motor vehicle driving record no less than annually. I understand this is a requirement for use of private and city-owned transportation to fulfill the job requirements of employment by the city.

Date of Birth

First Name

Middle Name

Last Name

Driver's License Number
(as it appears on Driver's License)

License Expiration Date

Employee Signature

Date Signed

Waiver for Release of Records

I, the undersigned employee, authorize the Iowa Division of Workers Compensation to release to:

_____ .
(Name of authorized recipient)

the categories of confidential records that are checked below, that are in the division's custody and that contain information that identifies me.

- ____ All confidential records of any nature
- ____ First Reports of Injury (FROI) (screen prints) filed within the past ____ years
- ____ Subsequent Reports of Injury (SROI) (screen prints) filed within the past ____ years
- ____ Evidence received in a contested case hearing
- ____ The transcript from a contested case hearing
- ____ Other (describe specific records to release) _____

Signed at _____ this ____ day of _____, 20____.
(City, State)

Employee (Print Name) (Signature)

To identify me and calls to verify that I signed this waiver, I provide my:

Social security number: _____

Date of Birth: _____

Address: _____

Telephone number: _____

14-0169 (7-05)

FAIR CREDIT REPORTING ACT NOTICE TO EMPLOYEE

This is to advise you that for employment purposes, and once we have received your written consent, the City of Clarion may obtain various consumer reports about you from one or more consumer reporting agencies. A consumer report, including a credit history report, may also include information regarding your character, general reputation, personal characteristics and mode of living, and is used to determine your eligibility for employment.

In the event any adverse action is taken against you based in whole or in part on the consumer report, the City of Clarion will first provide you with a copy of your consumer report and a full description of your rights under the Fair Credit Reporting Act, 15 U.S.C. Section 1681a, et seq.

Under the Federal Fair Credit Reporting Act, you have the right to ask for complete and accurate disclosure of the nature and scope of the consumer report we may request on you. Your request for this additional disclosure must be: (1) in writing and made within a reasonable time period after you receive this notice; and (2) sent to the Clarion City Administrator. The City will send you the additional disclosure within five days from the date we receive your written request or five days after the date we first request the consumer report on you, whichever is later.

CONSENT TO OBTAIN CONSUMER REPORT

The undersigned, an applicant for employment with the City of Clarion, hereby acknowledges that I have read the notice informing me that the City may obtain a consumer report on me for employment purposes. I understand that I have a right to request additional disclosures concerning the nature of the report, and that if the report is used to take any adverse action against me, I will be provided a copy of the report and a full description of my rights under the Fair Credit Reporting Act. I authorize the City and give it my consent to order a consumer report on me, if needed. I consent to the City's use of such reports for employment purposes.

Date: _____ Signature: _____

Printed Name: _____

CITY OF CLARION

Request to Receive Transferred Sick Leave

I, _____ respectfully request permission to receive transferred sick leave from other City of Clarion employees.

Signature

Date

Immediate Supervisors Approval

Date

City Administrator Approval

Date

CITY OF CLARION

Request to Donate Leave

(To be used for you to request permission to donate sick leave to another employee who has been approved to receive transferred leave.)

Name: _____ Department: _____

I voluntarily request to transfer _____ hours of my sick leave to:
Receiver's Name: _____ Department: _____

However, I understand that by donating this sick leave, I am waiving and releasing all rights that I have to use this sick leave. In the event that the total number of hours transferred to this employee exceeds the need, a prorated share of the transferred hours will be returned to me.

Employee Signature

Date

Immediate Supervisor Approval

Date

City Administrator Approval

Date

Leave of Absence Request Form

Employee Name (Print)

Date

Employee ID Number

Type of Leave of Absence	
<input type="checkbox"/>	Sick
<input type="checkbox"/>	Vacation
<input type="checkbox"/>	Comp Time
<input type="checkbox"/>	Military
<input type="checkbox"/>	Other

Start Date of Leave

Return to Work Date

All medical Leaves of Absence require certification from a doctor to return to work.

Employee Signature

Date

Supervisor Signature

Date

Route to:

- Payroll
- _____
- _____

FITNESS CENTER LIABILITY RELEASE FORM

PREMISES:

Clarion Fitness Center: 124 North Main, Clarion, Iowa

DATE: _____

In consideration of receiving a membership from the City of Clarion to enter upon the above described premises, the receipt of such membership being hereby acknowledged, and in further consideration of receiving membership to participate in weight training, exercise or other related activities on and after the above date, the undersigned, to the fullest extent permitted by law, hereby releases the City of Clarion, and its departments, boards and commissions, and all officers, agents and employees thereof from any and all liability, claims, demands, actions and causes of action whatsoever, arising out of or related to any loss, damage or injury, including death, that may be sustained by the undersigned or to any property of the undersigned, while in, on or upon the above-captioned premises while participating in weight training, exercise or other related activities.

The undersigned being duly aware of the risks and hazard inherent upon entering upon said premises and/or in participating in the above activities hereby elects voluntarily to enter the above-captioned premises, knowing its present condition and knowing that said condition may become more hazardous and dangerous during the time that the undersigned is upon the said premises. The undersigned hereby voluntarily assumes all risks of loss, damage or injury, including death, which may be sustained by the undersigned or to property of undersigned while in, on or upon said premises.

This release shall be binding upon the distributees, heirs, next of kin, executors, administrators and personal representatives of the undersigned.

In signing the foregoing release, the undersigned hereby acknowledges and represents:

- (a) That he or she has read the foregoing release, understands it and signs it voluntarily; and
- (b) That he or she is over 18 years of age and of sound mind.

IN WITNESS WHEREOF, the undersigned has executed this Acknowledgement and

Release this _____ day of _____ 20__.

Signature

Print Name

City of Clarion Work Comp Claim Procedures – All Departments

- All accidental on-the-job injuries or illnesses, whether requiring medical attention or not, shall be reported by the employee to the department head, or supervisor on duty as soon as possible, but not later than 24 hours after the accident occurred.
- Employee will Contact Company Nurse at 1-888-770-0928. They are available 24 hours a day, 7 days a week. A medical professional will gather information over the phone and assess appropriate medical treatment.
- If you are prescribed home treatment and your condition worsens, contact Company Nurse at the above number to report conditions for further treatment and referral. Notify and update your supervisor of the situation as soon as possible.
- If you need treatment for a work-related injury or illness **during normal working hours**, seek treatment at Clarion's designated physician:
 - Iowa Specialty Clinic
 - 1316 South Main
 - Clarion, IA 50525
 - Phone 515-532-2836
 - Clinic Hours: Monday – Friday 8:30 AM – 5:00 PM

If treatment is for a non-emergent appointment and/or follow-up appointment: Appointments must be made with the Occupational Health Physician and employee is responsible to notify City Hall prior to the appointments to have a Prior Authorization Form sent to facility.

- If the injury or illness is an **emergency**, the employee shall be taken to:
 - Iowa Specialty Hospital
 - 1316 South Main
 - Clarion, IA 50525
 - Phone 515-532-2811
 - Do not provide your personal insurance information**
- Contact Company Nurse as soon as possible following the incident.
- If the treating physician prescribes medication, the prescription can be charged also to IMWCA:
Do not provide the pharmacy with your personal insurance information.
- Please note if you have a work-related injury, your health insurance through the City will not cover the visit. You must go to the facility designated by the City for care. If you choose to do otherwise, it could result in you being responsible for the costs.
- Workers Compensation will pay benefits if an injury results in more than three calendar days of missed work. There is a three-day waiting period and benefits begin on the fourth day and continue until the employee returns to work. The three-day waiting period is paid by the City and charged to accrued sick leave. If the disability period exceeds fourteen calendar days, workers compensation will go back and pay benefits from the initial three-day waiting period.