

City of Taylor

Personnel Policies and Procedures Manual

Contents

1.0 INTRODUCTION 3

1.1 PURPOSE 3

1.2 SCOPE 3

1.3 CITY COUNCIL'S APPROVAL AUTHORITY 3

1.4 RESPONSIBILITY FOR ADMINISTRATION 4

2.0 GENERAL POLICY STATEMENTS 5

2.1 ORGANIZATIONAL VALUES 5

2.2 EQUAL EMPLOYMENT OPPORTUNITY POLICY 5

2.3 NON DICRIMINATION AND ANTI-HARRASSMENT POLICY 6

2.3.1 GENERAL PROVISION 6

2.3.2 INDIVIDUALS AND CONDUCT COVERED 6

2.3.3 SEXUAL HARRASSMENT 6

2.3.4 HARRASSMENT BASED ON RACE OR OTHER PROTECTED CHARACTERISTIC 7

2.3.5 COMPLAINT PROCEDURE 7

2.3.6 NON-RETALIATION 8

2.3.7 CONSEQUENCES OF POLICY VIOLATION 8

2.4 AMERICANS WITH DISABILITIES ACT 8

2.4.1 GERNERAL PROVISIONS 8

2.4.2 PROCEDURE FOR REQUESTING AN ACCOMMODATION 9

2.5 ANTI-NEPOTISM POLICY 9

3.0 EMPLOYMENT POLICIES AND PROCEDURES 11

3.1 RESTRUCTURING OF DEPARTMENTS AND ADDITIONS TO STAFFING LEVELS 11

3.2 EMPLOYMENT STATUS CATEGORIES 11

3.3 QUALIFICATIONS FOR EMPLOYMENT 12

3.4 REQUISTION PROCEDURE 12

3.5 RECRUITMENT 12

3.6 APPLICATIONS FOR EMPLOYMENT 13

3.7 INTERVIEWS AND SELECTION 13
3.8 EMPLOYMENT OFFERS 14
3.9 PROMOTIONS 14
3.9.1 GENERAL PROVISIONS 14
3.9.2 PROBATIONARY PERIOD FOLLOWING PROMOTION 14
3.10 TRANSFERS 15
3.11 TEMPORARY ASSIGNMENTS 15
3.12 DEMOTIONS 15
3.13 DEDUCTIONS ON TERMINATION 15
4.0 COMPENTSATION 16
4.1 JOB CLASSIFICATION PLAN 16
4.2 JOB DESCRIPTIONS 16
4.3 REVIEW OF JOB CLASSIFICATIONS 16
4.4 COMPENSATION PLAN 17
4.5 HOURS OF WORK AND PAY SCHEDULES 17
4.6 OVERTIME PAY AND CONPENSATORY PAY 17
4.6.1 EMERGENCY CALL BACK PAY 17
4.7 TRAVELS AWAY FROM CITY 18
4.7.1 TRAVEL EXPENSE REIMBERSURMENT 18
4.8 PERFORMANCE REVIEWS 19
4.8.1 GENERAL PROCEDURES 19
4.8.2 RATING SCALE 19
4.8.3 INTERIM APPRAISALS 19
4.8.4 CORRECTIVE ACTION PLANS 19
4.9 MERIT REVIEW SYSTEM 19
4.9.1 DEFINITION OF MERIT INCREASE 19
4.9.2 APPROVAL SIGNATURES AND PAYROLL CHANGE FORMS 20
4.9.3 EFFECTIVE DATE OF MERIT INCREASES 20
5.0 TIME OFF POLICIES 21
5.1 HOLIDAYS 21
5.2 BEREAVEMENT LEAVE 22

5.3 JURY DUTY LEAVE 22
5.4 CIVIL AND LEGAL LEAVE 22
5.5 MILITARY LEAVE 23
5.5.1 GENERAL PROVISIONS 23
5.5.2 SHORT-TERM MILITARY LEAVE 23
5.5.2.1 COMPENSATION WHILE ON SHORT-TERM MILITARY LEAVE 23
5.5.2.2 BENEFITS WHILE ON SHORT-TERM MILLITARY LEAVE 23
5.5.3 CALL TO ACTIVE DUTY LEAVE 23
5.5.3.1 COMPENSATION WHILE ON LEAVE 23
5.5.3.2 BENEFITS WHILE ON ACTIVE DUTY LEAVE 24
5.5.3.3 RE-EMPLOYMENT 24
5.5.3.4 SENIORITY UPON RETURN TO WORK 24
5.5.3.5 REPLACEMENTS FOR MILITARY LEAVES 25
5.6 ANNUAL LEAVE/VACATION 25
5.6.1 GENERAL PROVISIONS 25
5.7 SICK LEAVE 26
5.7.1 GENERAL PROVISIONS 26
5.7.2 TRANSFER OF SICK LEAVE 27
5.7.3 CONVERSION OF UNUSED SICK LEAVE TO RETIREMENT CREDIT 27
5.8 LEAVE UNDER THE FMLA & NATIONAL DEFENSE AUTHORIZATION ACT 28
5.8.1 GENERAL PROVISIONS 28
5.8.2 ELIGIBILITY 29
5.8.3 TYPE OF LEAVE COVERED 29
5.8.4 DEFINITION OF SERIOUS ILLNESS 30
5.8.5 AMOUNT OF LEAVE 30
5.8.6 INTERMITTENT LEAVE OR A REDUCED WORK SCHEDULE 30
5.8.7 PROCEDURES FOR TAKING LEAVE 31
5.8.8 BENEFITS DURING LEAVE 31
5.8.9 RETURNING FROM LEAVE AND REINSTATEMENT 32
5.9 LEAVE OF ABSENCE WITHOUT PAY BEYOND FMLA 32
5.9.1 GENERAL PROVISIONS 32

5.9.2 BENEFITS DURING AN UNPAID LEAVE BEYOND FMLA 33
5.9.3 REINSTATEMENT TO EMPLOYMENT 33
5.10 TRANSITIONAL DUTY AND/OR RETURN TO WORK POLICY FOR WORKER'S COMPENSATION INJURIES ONLY 33
5.10.1 SCOPE 33
5.10.2 AVE OF ABSENCE 33
5.10.3 GENERAL STATEMENT 33
5.10.4 DEFINITIONS 34
5.10.5 PROCEDURE 34
6.0 ON THE JOB POLICIES 36
6.1 NEW HIRE ORIENTATION 36
6.1.1 DEPARTMENTAL ORIENTATION 36
6.2 PROBATIONARY PERIOD 36
6.2.1 GENERAL PROVISIONS 36
6.2.2 PERFORMANCE EVALUTIONS DURING THE PROBATIONAREY PERIOD 37
6.2.3 APPOINTMENT TO THE NON-EXEMPTED SERVICE AND SALARY INCREASE 37
6.3 SAFETY POLICY 37
6.3.1 SAFETY PLICY AND PROCEDURE PERSONNEL POLICIES AND PROCEDURES MANUAL 37
6.3.2 MANAGEMENT AND EMPLOYEE RESPONSIBILITY 37
6.3.3 ACCIDENTS AND EMERGENCIES 38
6.4 CONFLICTS OF INTEREST 38
6.5 OUTSIDE EMPLOYMENT 39
6.6 WORKPLACE VIOLENCE POLICY 40
6.6.1 PROHIBITED CONDUCT 40
6.6.2 REPORTING PROCEDURE 41
6.6.3 IDENTIFYING POTENTIALLY VIOLENT SITUATIONS 41
6.6.4 COMPLIANCE AND ENFORCEMENT 42
6.7 CITY VEHICLE AND DRIVING POLICY 43
6.7.1 GENERAL PLICY STATEMENT 43
6.7.2 AUTHORIZED DRIVERS AND USE OF CITY VEHICLES 43

6.7.3 DRIVER'S LICENSES 44
6.7.4 CITY VEHICLE INSURANCE 45
6.7.5 VEHICLE OPERATIONS AND DRIVER SAFETY 45
6.7.6 VEHICLE ACCIDENTS 46
6.7.7 VEHICLE MAINTENANCE 47
6.8 TECHNOLOGY POLICY 47
6.9 MEDIA COMMUNICATIONS POLICY 48
6.9.1 PRESS RELEASES 48
6.9.2 MEDIA REQUESTS FOR INFORMATION 48
6.9.3 GENERAL NOTES 48
6.10 PERSONAL POSSESSIONS 48
6.11 REFERENCE CHECKS 48
6.12 TAPE RECORDING POLICY 49
6.13 SMOKE FREE WORKPLACE AND SMOKELESS TOBACCO POLICY 49
6.14 POLITICAL ACTIVITY 49
6.15 DRESS AND GROOMING POLICY 49
6.16 POLICE DEPARTMENT RULES AND PROCEDURES 50
6.17 TRAINING 51
6.18 COLLEGE ATTENDANCE DURING WORKING HOURS 51
6.19 DUE PROCESS PROCEDURES 51
6.20 DISCIPLINARY ACTION POLICY 51
6.21 RULES OF CONDUCT 59
6.22 GRIEVANCE PROCEDURE 61
6.22.1 GENERAL PROVISIONS 61
6.22.2 FIRST STEP GRIEVANCES 62
6.22.3 SECOND STEP GRIEVANCES 62
6.22.4 THIRD STEP GRIEVANCES – APPEAL TO THE CITY COUNCIL 62
6.22.5 APPEAL HEARING FORMAT 63
6.23 RECORDS 64
6.23.1 ATTENDANCE RECORDS 64
6.23.2 PERSONNEL RECORDS 64

6.23.3 PAYROLL RECORDS 64
7.0 BENEFITS 65
7.1 DISCLAIMER 65
7.2 GENERAL PROVISIONS 65
7.3 MEDICAL INSURANCE 66
7.4 DENTAL INSURANCE 66
7.5 RETIREMENT PLAN 67
7.6 DEATH BENEFITS 67
7.7 WORKER'S COMPENSATION 67
7.8 UNEMPLOYMENT CONPENSATION 68
8.0 SEPARATION FROM EMPLOYMENT 69
8.1 GENERAL PROVISIONS 69
8.2 RESIGNATION 69
8.3 REDUCTION IN FORCE (RIF) 69
8.4 RETIREMENT 70
8.5 DISABILITY SEPARATION 70
8.6 DEATH 70
8.7 DISMISSAL 71
9.0 EMPLOYEE SAFETY POLICY 72
10.0 DRUG GREE WORK PLACE AND SUBSTANCE ABUSE 74
10.1 GEREAL STATEMENT 74
10.2 TERMS DEFINED 74
10.3 PROHIBITED SUBSTANCES 75
10.4 ALCOHOL PROHIBITED 75
10.5 LEGAL MEDICATIONS 75
10.6 OFF DUTY SUBSTANCE AND ALCOHOL USE 75
10.7 NOTICE OF VIOLATION 76
10.8 CONSEQUENCES OF VIOLATION OF POLICY 76
10.9 UNEMPLOYMENT COMPENSATION 76
10.10 WORKERS' COMPENSATION 77
10.11 INFORMATION DISTRIBUTION 77

10.12 DRUG AND ALCOHOL SCREENING AND TESTING CONDITIONS 77
10.12.1 PRE-EMPLOYMENT TESTING 77
10.12.2 REASONABLE SUSPICION 77
10.12.3 POST-ACCIDENT INVOLVEMENT 78
10.12.4 REANDON SCREENING AND TESTING OF SAFETY 78
10.13 SPECIMENS 78
10.14 LABORATORY 78
10.15 EMPLOYEE REQUEST 79
10.16 EVIDENTIAL BREATH TESTING 79
10.17 EDUCATION 79
10.18 SUPERVISORY TRAINING 79
10.19 CONFIDENTIALITY 79
10.20 RELEASE ON INFORMATION 79
10.21 INVESTIGATIONS AND SEARCHES 80
EMPLOYEE ACCEPTANCE FORM 81

FORWARD

Whether you have just joined the City of Taylor or have been with us for a while, we are confident that you will find the City of Taylor a dynamic and rewarding place to work, and we look forward to a productive and successful association. We consider the employees of the City of Taylor to be our most valuable resource. This Personnel Policies and Procedures Manual has been written to serve as a guide for the employer/employee relationship.

There are several things that are important to keep in mind about this manual. First, it contains only general information and guidelines. This manual provides a *summary* of our employment benefits, policies, procedures and work rules. While we expect all employees to become thoroughly familiar with our Manual, no manual can cover every situation or answer every question. Remember, effective communication is a two way street. If you have questions, problems or suggestions, please let us know. Our goal is to work together as a team.

For the City to be successful, we must be performance oriented. Your success and, in turn, our success depends upon the quality of your work. Our employment relationship is based upon mutual trust and mutual satisfaction. Your employment with the City will always be “at will”, meaning that either you or the City may terminate the employment relationship at any time for any reason. This manual does not (1) obligate the City to continue your employment for a particular length of time; (2) create a contract of employment between you and the City; (3) create a property right or any other right to continue employment with the City; or (4) limit the City’s right to terminate your employment for any reason the City deems sufficient. Except by *written* agreement signed by the City, no elected official, appointed official, manager, supervisor, employee or other representative of the City has any authority to promise you employment for a particular length of time or to make any other promise or representation about your continued employment with the City.

The procedures, practices, policies, and benefits described here may be modified or discontinued from time to time through City Council action. You will be informed of any changes as they occur. Note the Police Department Policy may differ from time to time from this policy. As it applies to the Police Department, their policy will take precedence.

Finally, some of the benefits described here are covered in detail in the official benefit policy and plan documents from the providers. You should refer to plan documents for specific information, since this Personnel Policies and Procedures Manual only briefly summarizes those benefits. Please note that the terms of the City’s written Policies take precedence over anything concerning insurance contained in the Manual.

NOTE:

The City is the Personnel Director and the City Council is the Personnel Department.

1.0 INTRODUCTION

1.1 PURPOSE

The City of Taylor, through City Council approval, has adopted the City of Taylor Personnel Policies and Procedures Manual system contained herein. The purpose of the City's Personnel Policies and Procedures Manual system is to establish:

- Guidance to officials in their relationship with city employees and other city officials
- Employee rights and responsibilities
- Fair and equitable treatment for all employees
- Comparable pay for comparable work
- Rules of conduct and performance expectations

Such policies and procedures provide structure and consistency for administrative actions, which will facilitate the selection and retention of qualified employees, enhance effective and efficient performance in providing services to the Citizens of Taylor, and enable City Employees to derive satisfaction from their work. In addition, these policies include the conditions under which employees are employed, benefits applicable to the employees of the City of Taylor, and other matters regarding employee wages and working conditions.

1.2 SCOPE

The personnel system contained herein is the authorized personnel system for the City. These policies and procedures apply to all employees and City officials except where expressly exempted by these policies and procedures. Certain elected officials are exempted to whom established Personnel Policies and Procedures Manual shall in no way apply except as they govern their actions with city employees. In addition to those exempted employees identified above, any firm, individual, or agency on retainer with the City will also be exempted from these policies and procedures except as provided by Federal law.

The City adheres to all applicable federal and state regulations concerning wages, work hours, facilities, hazardous working conditions, and other conditions of employment.

1.3 CITY COUNCIL'S APPROVAL AUTHORITY

The Taylor City Council is the approval authority for all City of Taylor Personnel Policies and Procedures. Changes to these policies are not authorized except as approved by the City Council. The City reserves the right to make changes in either city policies or benefits at any time. These policies shall be effective with the date of their implementation and applicable until changed by the Taylor City Council. Such changes shall not affect benefits earned prior to the date of each change, but may affect benefits or other conditions of employment from the date of the change forward.

The application of these policies shall be governed by the rules, regulations, and procedures adopted by the Taylor City Council. Department Heads may issue and implement departmental rules and regulations if consistent with these policies and procedures.

1.4 RESPONSIBILITY FOR ADMINISTRATION

These policies and procedures shall be administered by all elected officials, department heads, supervisors, and other appropriate administrative personnel and shall be subject to regular and periodic review by the City Council.

The official master copy of the City of Taylor Personnel Policies and Procedure Manual shall be maintained on file in the office of the City Clerk. The City Clerk is responsible for personnel administration within the City government. All matters dealing with personnel shall be routed through the Clerk's office who shall maintain a complete system of personnel files and resources. The policy of the City of Taylor is that the City will employ, compensate, promote, terminate and carry out other conditions of employment without regard to race, color, creed, national origin, sex, age or handicap (as spelled out in Section 504 of the Americans with Disabilities Act of 1990).

Copies will be distributed to all Department Heads, City Council and to all existing and new employees. Copies of these Policies & Procedures are also available upon request.

Each employee, regardless of employment status, shall acknowledge that he/she has received a copy of the City of Taylor Personnel Policies and Procedures Manual. All employees are expected to comply with all provisions of the policies and procedures contained herein.

Questions regarding any aspect of the implementation of the City of Taylor Personnel and Procedures Manual should be directed to the City Clerk. Questions concerning areas of conflict or other issues not expressly covered in these policies and procedures should be referred to the City Council for resolution.

2.0 GENERAL POLICY STATEMENTS

2.1 ORGANIZATIONAL VALUES

The quality of life and environment in our community depends upon a partnership among citizens, elected officials, and city employees. Each one of us represents the City of Taylor. We are what make the difference between a good organization and an excellent one. Our continual journey for excellence is founded on the following organizational values:

- We value open accessible government. **Honest government** is our primary responsibility. Openness encourages competence because our actions must meet the standard of public scrutiny
- We value **fiscal responsibility**. Consistent and careful management of our financial resources demonstrates respect for our citizens who taxes and revenue supports our organization. Fiscal responsibility recognizes that money alone is not sufficient. Efficient and cost effective problem resolution also demands fresh approaches and creativity.
- We value **professionalism**. We believe that successful completion of the work is much more important than who gets credit. A professional attitude requires a dispassionate analysis of the issues and a strong commitment to the organization and the community. A professional attitude comes from individual pride in work, teamwork, and shared goals.
- We value **excellent customer service**. We are dedicated to providing the highest service level possible delivered with respect, concern, and a positive attitude. We believe that quality is central to everything we do.
- **We value our employees**. We are committed to providing a stable, safe, and rewarding work environment with opportunities for learning and growth. We will promote the fair and equitable treatment of all employees. We believe that work should be a source of enjoyment and satisfaction. We will strive for the highest morale and productivity. Creativity and innovation are encouraged and add to organization effectiveness.
- We value organizational self-sufficiency. We value long-term relationships with local suppliers and encourage the use of local resources whenever possible. In this manner, we can meet local needs provide continuity of services, and contribute to the local economy.

We are proud of the City of Taylor, our employees and the citizens we serve.

2.2 EQUAL EMPLOYMENT OPPORTUNITY POLICY

The City of Taylor is an equal opportunity employer and does not discriminate in any employment policy or practice on the basis of race sex, age, color, creed, national origin, religion, disability, military status, marital status, or any other protected characteristic as established by law. In addition, the City will not discriminate based on political or party affiliation except that the City will not employ persons who hold membership in any political party or organization whose objective is the violent overthrow of the government of the United States of America.

This policy applies to all policies and procedures related to recruitment and hiring, promotions, transfers, compensation, benefits, terminations, and all other terms and conditions of employment. Consistent with Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972, candidates shall be considered for employment only on the basis of job-related qualifications, training, experience, capabilities, and performance potential. In addition, candidates shall be selected for employment only on the basis of merit and fitness without regard to race, sex, age, color, creed, national origin, religion, military status, or disability, except where age, sex, or disability constitute a

bona fide occupational qualification. In addition, the City of Taylor shall comply with all local state, and federal laws concerning equal employment opportunity and discrimination.

The City Clerk serves as the City's EEO Compliance Officer and is responsible for insuring policy compliance, providing training, preparing related reports, investigating complaints, and monitoring procedures. Questions or concerns regarding EEO policy should be addressed to City Clerk.

2.3 NON-DISCRIMINATION AND ANTI-HARASSMENT POLICY

2.3.1 GENERAL PROVISION

The City of Taylor is committed to providing a workplace free of discrimination and harassment and an environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices and harassment. Therefore, the City expects all relationships among persons in the workplace to be business-like and free of bias, prejudice, and harassment.

Discrimination and/or harassment on the basis of race, sex, age, color, national origin, religion, disability, military status, marital status, or any other protected characteristic is illegal and will not be tolerated. Discrimination is any action that unlawfully or unjustly results in unequal treatment of persons or groups based on race, sex, age, color, national origin, religion, disability, or any other legally protected characteristic. Harassment includes but is not limited to conduct which is unwelcome and is based on the victim's race, sex, age, color, national origin, religion, disability, or any other type of protected characteristic.

The purpose of this policy is to:

- Eliminate discrimination and harassment of any type,
- Provide disciplinary penalties for discrimination or harassing conduct or behavior, and
- Provide employees with a procedure for reporting perceived discrimination and harassment.

2.3.2 INDIVIDUALS AND CONDUCT COVERED

These policies apply to all applicants and employees and prohibit harassment, discrimination, and retaliation whether engaged in by employees, supervisors, managers, vendors, consultants, customers, or citizens. Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside of the workplace such as during business trips, business meetings, and business-related social events. These policies shall not be used to exclude or separate individuals of a particular gender or protected characteristic from participating in business or work-related social activities or discussions in order to avoid allegations of harassment.

2.3.3 SEXUAL HARASSMENT

Sexual harassment, a form of sex discrimination, is illegal under federal and state laws and is strictly prohibited by City policy. As defined in the Equal Employment Opportunity Guidelines, sexual harassment is unwelcome sexual advances, requests for sexual favors, and other verbal and/or physical conduct of a sexual nature, when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; and/or

2. Submission or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual and/or;

3. Such conduct has the purpose of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on circumstances, these behaviors may include, but or not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess, preferences, or deficiencies; leering; catcalls or touching; insulting or obscene comments or gestures; display or circulation in the workplace of sexually suggested objects or pictures or calendars; and other physical, verbal, or visual conduct of a sexual nature.

City policy specifically prohibits any employee from engaging in the sexual harassment of another employee, customer, vendor, or citizen. Likewise, the City will not tolerate any customer, vendor, or citizen engaging in the sexual harassment of a City employee. However, conduct or action arising out of a personal or social relationship that is not intended to have a discriminatory employment effect may or may not be viewed as harassment depending on specific circumstances. The City of Taylor shall determine whether such conduct constitutes sexual harassment based on a review of the facts and circumstances of each situation.

2.3.4 HARASSMENT BASED ON RACE OR OTHER PROTECTED CHARACTERISTIC

Harassment on the basis of race or any other protected characteristic is illegal under federal and state laws and is strictly prohibited by City policy. Under this policy, harassment is defined as verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, age, national origin, disability or any other characteristic protected by law or that of his/her relatives, friends, or associates, and that:

- Has the purpose or effect of creating an intimidating, hostile, or offensive work environment; and/or
- Has the purpose or effect of unreasonably interfering with an individual's work performance; and/or
- Otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to: epithets; slurs; negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and display or circulation in the workplace of written or graphic material or e-mail that denigrates or shows hostility or aversion toward an individual or group.

2.3.5 COMPLAINT PROCEDURE

The City strongly urges the reporting of all perceived incidents of discrimination, harassment, or retaliation, regardless of the offender's identity or position. Employees are encouraged to take specific action if discrimination or harassment occurs. Where appropriate, the employee should express his/her discomfort directly to the offender. The employee should promptly file a written complaint with his/her immediate supervisor. If the immediate supervisor is the alleged offender, the employee should submit a written complaint to the supervisor's superior. Complaints regarding a department head or manager should be reported to the Mayor.

Any member of supervision or management who receives a written or verbal complaint of discrimination or harassment is required to submit the complaint immediately to the City Clerk who serves as the City's EEO Compliance Officer. The City Clerk shall conduct a formal investigation and shall engage the assistance of other Department Heads unrelated to the complaint to participate in the investigation. Complaints of discrimination and harassment shall be investigated thoroughly. Among those interviewed shall be the alleged victim, the alleged offender, the employee's supervisor, the Department Head and any other employees with knowledge of the behavior. Both the complaint and the investigative steps and findings will be documented as thoroughly as possible. All such inquiries or complaints will be treated as confidential to the extent permissible by law. The name of the complainant and the circumstances of the complaint will not be disclosed to any person except where disclosure is necessary for the purpose of investigation, review with the City Council, disciplinary action related to the complaint, or reporting required by Federal or State regulations.

2.3.6 NON-RETALIATION

No employee will be subject to any form of retaliation or discipline for pursuing a discrimination or harassment complaint or for participating in an internal investigation conducted by the Personnel Department Director/EEO Officer. However, an individual who knowingly makes a false claim of discrimination or harassment or provides false statements as part of an investigation will be subject to appropriate disciplinary action up to and including dismissal.

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of policy, and will be subject to disciplinary action.

Any employee who is dissatisfied with the resolution of a discrimination or harassment complaint may file an appeal with the City of Taylor City Council in accordance with the City's grievance procedure.

2.3.7 CONSEQUENCES OF POLICY VIOLATION

Compliance with this policy and with any related investigation is a condition of employment. Any form of discrimination and/or harassment will not be tolerated. Misconduct constituting harassment, discrimination, or retaliation will be dealt with appropriately. Corrective actions may include but are not limited to: training, referral to counseling, written reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay, or dismissal from employment, depending on the individual circumstances and nature of the conduct.

If the disciplinary action is determined to be less than termination, the offender shall sign a written statement that the inappropriate behavior will stop immediately.

2.4 AMERICANS WITH DISABILITIES ACT

2.4.1 GENERAL PROVISIONS

The City of Taylor is committed to complying with all applicable provisions of the Americans with Disabilities Act (ADA). An individual with a disability under the ADA is a person who has a physical or a mental impairment that substantially limits one or more major life activities such as caring for oneself, walking, seeing, hearing, speaking, or working.

The City shall not discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of the individual's disability or perceived disability as long as the employee can perform the essential functions of the job with or without accommodation.

The City will provide reasonable accommodations to a qualified individual with a disability, as defined by ADA, who has made the City aware of his or her disability, provided that such accommodation is feasible and does not constitute an undue hardship on the City. However, in all instances of hiring and retention, the City is not required to hire or retain an individual whose presence in the workplace poses a substantial risk of harm unless a reasonable accommodation can eliminate the threat to health and safety. Such a determination shall be based on an individualized assessment of the situation. In addition, the ADA does not require the City to make the best possible accommodation, or to reallocate essential job functions, or to provide personal use items such as eyeglasses, hearing aids, wheelchairs, etc.

The City of Taylor encourages individuals with disabilities to make the City aware of the disability and to request a reasonable accommodation. Any employee with a disability who believes that he/she needs a reasonable accommodation to perform the essential functions of his/her position should contact the City Clerk.

2.4.2 PROCEDURE FOR REQUESTING AN ACCOMMODATION

Upon receiving a request for a reasonable accommodation, the Personnel Department Director and the Department Head will meet with the employee to discuss and identify the precise limitations resulting from the disability and the potential accommodations. The City will determine the feasibility of the requested accommodation considering various factors, including but not limited to:

- The nature and cost of the accommodation
- The availability of tax credits and deductions
- Outside funding
- The City's total financial resources
- The impact on the operation of the City
- The impact on the ability of other employees to perform their job duties
- The impact on the City's ability to conduct business.

The City will inform the employee of its decision regarding the request for accommodation and the reasons for its decision. If the request is denied, the employee may appeal the decision to the City Council.

An employee or job applicant who has questions regarding this policy or believes he or she has been discriminated against related to a disability should notify the City Clerk. All such inquiries or complaints shall be investigated thoroughly in accordance with established procedures and treated as confidential to the extent permissible by law.

2.5 ANTI-NEPOTISM POLICY

Members of an employee's immediate family shall be considered for employment based solely on their qualifications for vacant positions. However, the City shall not employ an individual if the individual would be subject to administrative or supervisory control by a member of the individual's immediate family. The City's anti-nepotism policy also applies to assigning, transferring, or promoting an employee.

For the purpose of this policy, immediate family shall be interpreted to include spouse, child, siblings, parents or guardian, parent's in-law, step-parents, sister-in-law, brother-in-law, stepchildren, daughter-in-law, and son-in-law.

Individuals employed before adoption of this specific policy and procedures shall be exempt from these provisions only as they relate to their current position.

Consenting romantic relationships between a supervisor/manager and a subordinate may lead to unhappy complications and significant difficulties for all concerned. Any such relationship is contrary to the best interests of the City; therefore, the City strongly discourages such relationships. If a romantic relationship between a supervisor and a subordinate should develop, it shall be the responsibility and mandatory obligation of the supervisor/manager to disclose the existence of the relationship to his/her Department Head and the Mayor.

Employees who become family members or establish a romantic relationship may continue employment as long as there is no supervisory relationship or a conflict of interest. Likewise, employees who become family members or establish a romantic relationship shall not interfere with the job performance of the other employee, disrupt operations, or attempt to interfere with the supervisor's direction of the employee.

If employees become immediate family members or establish a romantic relationship and there is a conflict of interest or the potential for adverse impact on the City, the City will make reasonable efforts to transfer one of the employees. If transfer is not feasible, the employees shall select which one shall resign. If the employees cannot make a decision, the City in its sole discretion shall decide which employee will be retained.

3.0 EMPLOYMENT POLICIES AND PROCEDURES

3.1 RESTRUCTURING OF DEPARTMENTS AND ADDITIONS TO STAFFING LEVELS.

All requests for a restructuring of any city department in terms of operations and adding staff must be submitted to the Council only once per year, immediately prior to the annual budget review period. Projected salaries and benefits for new positions shall be submitted in the department's proposed budget. Any exceptions to the annual submission will have to be at the Council and Mayor's discretion and will require extensive justification from the Department Head. This specific policy as outlined herein applies only to increasing or decreasing staffing levels, the creation of a brand new position/job class, and/or dramatically altering a specific position relative to the needs of the new organizational structure. The policy in this section does not apply to a general request for a job classification review of some or all positions within a department.

In addition to including all staffing requests for the new fiscal year in the budget, the Department Head shall submit such change requests to the Personnel Department Director eight weeks prior to the budget review period. This requirement shall enable Personnel Department to revise departmental organizational charts with proposed staffing levels, prepare new job descriptions for all new positions as needed, and verify grade levels prior to the start of the new budget year and submit to Council.

3.2 EMPLOYMENT STATUS CATEGORIES

Every position within the City shall be designated by the City Council in accordance with the following classes:

"Exempted employee" – an employee who serves at the pleasure of the elected officials for whom her/she works. Exempted positions shall be designated by the City Council in coordination with the Mayor. Exempted positions shall be kept to the minimum number absolutely essential. Positions eligible for designation as Exempted include City Clerk, Department Heads and a limited number of other positions considered to be in the best interest of the City. Such designations shall not be for the purposes of decreasing the salaries of such employees or for the purpose of evading the normal channels of discipline, demotion, transfer, or discharge. Established Personnel Policies and Procedures Manual shall apply to these employees. Exempted employees may be considered for non-exempted positions if a vacancy exists and they are qualified.

"Non-exempted Employee" - an employee who has successfully completed the probationary period in a position that has been approved and designated non-exempted by the City Council, and who has been designated by the Mayor as a non-exempted employee.

"Probationary employee" – an employee who has not completed the initial employment period in a non-exempted position and who has not been designated as a non-exempted employee by the Mayor.

"Full-time employee" – an employee who regularly works a full workweek as defined by the Taylor City Council. Full-time employees may occupy either a non-exempted or an Exempted position.

"Part-time employee" – an employee who holds a position designated as part-time and who works a workweek that usually does not exceed 35 hours per week. **As of adoption of this policy, any employees affected by this policy will be grandfathered in at their existing hours and benefits.**

Temporary Employee" – A temporary employee is hired for seasonal work, a specific project, or for a brief period of time. A temporary employee in a non-exempt position is paid by the hour while a temporary employee in an exempt position is paid according to the terms of hire for that individual.

3.3 QUALIFICATIONS FOR EMPLOYMENT

The minimum educational requirement for non-exempted and exempted employment with the City is a High School diploma or GED. Whenever degrees and/or certifications are required for positions, such requirements will be stated on the job description for the position and on posted job vacancies.

A current employee without a high school diploma or GED will be "grandfathered" and considered to meet the High School Diploma/GED requirement for his/her current position based on job-related experience.

The minimum age for employment as a probationary employee shall be eighteen (18) years of age, except for police officers and emergency where the minimum age shall be twenty-one (21). The minimum age for employment of temporary employees shall be eighteen (18) years of age.

3.4 REQUISITION PROCEDURE

When a department head establishes the need to fill either a new position or an existing position, he/she will complete a personnel request form and submit it to the City Clerk. All personnel requests should be submitted as soon as the need is anticipated, but normally at least four weeks in advance of hire to provide time to recruit and screen qualified applicants.

If the position has budget approval, Personnel Department will advertise the vacancy and refer the best-qualified candidates to the Department Head. If the position does not have budget approval, the City Clerk, in coordination with the Department Head will prepare a job description and determine the proper classification and pay range for the position. If there is a question concerning the proper classification, a desk audit may be performed to determine the proper classification. The Department Head will submit the request to the City Council for budget, classification, and job description approval. Upon Council approval, the City Clerk will advertise to fill the position according to policy. The City Clerk will refer the best-qualified applicants to the department head. The Department Head will review and interview applicants. The Mayor and/or City Council will approve or disapprove all final hiring decisions before any employment offer is made.

3.5 RECRUITMENT

The City Clerk is responsible for publicizing vacancies, developing sources of applicants, and coordinating recruiting activities. Upon receipt of an approved personnel request, the City Clerk will determine which recruitment sources and advertising media are most appropriate.

In cooperation with the department head, Personnel Department will prepare the text and layout of recruiting advertisements and place advertisements in the appropriate media. Vacancies which require external recruitment may be advertised by using a variety of sources including but not limited to: non-exempted ads, public service radio or television, employment offices, local trade schools, junior colleges, educational institutions, postings at City Hall and on the City's web page, the Internet, and other relevant media for the purpose of informing as many qualified candidates as possible. Advertisements for employment shall include a brief summary of the job, required qualifications, salary range, deadline for applications, contact information, mailing address for submissions, and the statement "An Equal Opportunity Employer." In addition, the advertisement shall also include a statement that the City of

Taylor is a drug-free workplace.

3.6 APPLICATIONS FOR EMPLOYMENT

The City will accept applications for employment whenever a specific vacancy has been announced and advertised. Application forms shall be available in the Clerk's Office, on the City web's site, and other locations designated by the City Clerk. Applications may be mailed, faxed, e-mailed or submitted in person to the Personnel Department.

No person shall be considered for a position with the City until after the completion of a City of Taylor Employment application form. Each applicant has the responsibility for submitting a properly completed application. Resumes will not be accepted in lieu of a properly completed City application, but may be included with the application.

The City Clerk or Department Supervisor will receive, date, and record all completed applications. In addition, the City Clerk shall review each application for completeness. All EEO information shall be recorded on a separate form and maintained in separate files as required by Federal EEO regulations. An application, once recorded, shall not be returned to the applicant. Falsification or concealment of information on an application is grounds for rejection for employment and also for dismissal after employment.

3.7 INTERVIEWS AND SELECTION

Candidates may be tested, interviewed, or otherwise screened and evaluated by the Personnel Department. The three (3) best-qualified candidates for each position will be referred to the requesting department for interviews.

Interviews will be scheduled at times mutually satisfactory to the requesting department and the applicant, when possible. The requesting department head or his/her designees will conduct interviews and determine the applicant's suitability for the position. If possible, the applicant may be given an opportunity to observe the department and its operations.

In filling non-exempted vacancies above the entry level, first consideration will be given to qualified City employees. Promotion to a vacant position will be based on:

1. Quality of past performance
2. Potential as determined by interview and/or examination procedures.

The City Clerk or designee shall make appropriate inquiries of former employers and personal references only for those applicants tentatively designated as acceptable. Inquiries about employment may be made to the applicant's former employers. With the applicant's consent, inquiries may be made to the applicant's current employer.

Selection for each vacancy will be based on the knowledge, skills, and abilities required for the position. Positions will be filled, whenever possible, with the best-qualified eligible applicants. If two or more applicants are equally qualified, the Department Head may choose which applicant they will select. However, selection will be made without regard to race, sex, age, national origin, creed, religion, or disability.

promotion, but may be extended for training purposes. Police Officers shall serve a one-year probationary period. If the employee's performance during the probationary period is not acceptable, he/she may be reassigned to his/her previous position if the position is available.

3.10 TRANSFERS

Any non-exempted employee, who has successfully completed the probationary employment period, may with the consent and approval of the respective department heads, be transferred to a similar position if available in a different department without serving an additional probationary period. Any employee interested in a transfer should contact the City Clerk.

3.11 TEMPORARY ASSIGNMENTS

A temporary assignment is a special assignment created as needed for a period usually not to exceed 179 days for such purposes as training, special projects, or for filling temporary vacancies. If approved by the Mayor, the employee may be given a salary adjustment for the period of the temporary assignment.

3.12 DEMOTIONS

An employee may be demoted to a position of lower grade for which he/she is qualified for any of the following reasons:

- His/her position is being abolished and he/she would otherwise be laid off due to a lack of work, a lack of funds, or a departmental reorganization.
- The employee has not demonstrated satisfactory performance in his/her current position.
- The employee voluntarily requests a demotion.

All cases of demotion shall be reviewed with the City Clerk. An involuntary demotion, which results from unsatisfactory performance, requires a due process hearing prior to implementation.

A written notice stating the reason(s) and the effective date of an involuntary demotion will be provided the employee at least two (2) weeks prior to the effective date of the demotion. The notice must be signed by the Department Head, the City Clerk, and the Mayor prior to being issued.

- The employee's pay will be established at the level of the classification of the lower position.
- The employee will retain his/her current step level. An employee may appeal an involuntary demotion through the grievance procedure.

3.13 DEDUCTIONS ON TERMINATION

On termination of employment the City shall deduct and withhold from the final paycheck of any employee any amount owed the City in payment for unearned leave, unreturned equipment, or any other indebtedness to the City. The final paycheck shall not be issued until the extent of any indebtedness to the City has been determined and cleared. The department heads shall be responsible for notifying Personnel Department of any indebtedness.

3.8 EMPLOYMENT OFFERS

Neither an employment commitment nor a salary offer shall be extended by anyone on behalf of the City of Taylor unless:

- The City Council has included funding in the City budget and,
- The candidate has been cleared for employment by the City Clerk and,
- The employment offer has the Mayor's approval and written authorization.

Upon written approval of the candidate by the Mayor, the Department Head will extend an offer of employment. Employment offers will be contingent on the candidate passing a drug screen. A pre-employment physical examination may be required for some positions within the City. Employee candidates shall make a deposit for the cost of drug screens. If the drug screens are returned negative, the deposit will be returned to the candidate. If the drug screen is returned positive, the candidate will forfeit the deposit and will be denied employment with the City. The physical exam will be provided at the City's expense and will be scheduled and coordinated by the Personnel Department. The physical will be conducted by the City's physician of record and recorded on forms provided by Personnel Department. Certified personnel will give the drug screen.

Personnel Department will insure that the required payroll forms are completed and will coordinate a new hire orientation and start date with the department head.

3.9 PROMOTIONS

3.9.1 GENERAL PROVISIONS

The City's intent is to remain cognizant of the need to fill each vacancy with the candidate who possesses the greatest potential for success. Whenever feasible, practical, and in the best interest of the City, the City will fill vacant non-exempted positions by the promotion or transfer of a current regular status city employee who meets the required qualifications and who has demonstrated the potential for success before recruiting from outside sources.

A promotion is defined as the assignment of an employee to a more responsible position with a salary greater than his/her current salary range. A promotion shall involve a definite increase in duties and responsibilities and shall not be made for the purpose of providing an increase in compensation.

Promotional consideration shall be given to all interested, eligible employees. Promotion shall be based upon the employee's performance, merit, efficiency, qualifications, capabilities, and physical condition, if physical condition is a bona fide occupational qualification as reflected in the approved job description. The department head shall insure that each person selected for promotion is eligible and qualified.

Nothing contained in this policy shall limit a the city from considering applicants from outside the city's service who have been referred as provided in the employment procedure.

The mayor and/or council may establish examinations which are warranted to determine whether or not the applicant or employee meets established standards.

3.9.2 PROBATIONARY PERIOD FOLLOWING PROMOTION

An employee who receives a promotion shall serve another probationary period in the new position. The probationary period will generally be for a six (6) month period from the effective date of the

4.0 COMPENSATION

4.1 JOB CLASSIFICATION PLAN

To insure “like pay for like jobs, the City will establish and maintain a comprehensive job classification plan based on the type and complexity of the work performed. The classification plan shall list every eligible job within the City’s service.

Every position in the City shall be designated by the City Council as exempted, non-exempted, part-time, or temporary as appropriate. All exempted positions shall be established by the City Council and kept to a minimum.

The official job classification plan shall be approved by the City Council and maintained in the office of the City Clerk. No deviations shall be made from the City’s approved job classification plan unless approved in writing by the City Council. When circumstances warrant, the classification plan and/or the classification of a specific position shall be amended by the City Council in accordance with a job class review schedule established by the City Council.

The City Clerk shall notify Department Heads and payroll personnel whenever the official job classification plan has been amended by City Council action. A copy of the approved job classification plan shall be considered an integral part of the City’s Personnel Policies and Procedures Manual.

4.2 JOB DESCRIPTIONS

The City will develop and maintain a written job description for each position listed in the classification plan. The job description shall include the following: job summary; the responsibilities, duties, and essential functions of the position; and the knowledge, skills, and abilities required. Current job descriptions shall be kept on file in Personnel Department.

When a new position is created, or a substantial change is made to an existing position, the department head shall furnish to the City Clerk a tentative description of the new or expected duties and qualifications. The City Clerk or his/her representative, in coordination with the department head, shall prepare a new job description, recommend the proper classification for the position, and obtain the City Council’s approval. All requests for a new position/job class shall be submitted to the Council only once per year immediately prior to the budget review period as outlined in the section 3.1 entitled “Restructuring of Departments and Additions to Staffing Levels.

4.3 REVIEW OF JOB CLASSIFICATIONS

Personnel Department shall review all current non-exempted and exempted position descriptions for accuracy and grade verification every two years. Personnel Department will consult with the Department Head to determine if there have been any changes in job skills or responsibilities for each position since the last job grade review. Updated job descriptions will be prepared as needed. Once the updated job descriptions are complete and accurate, Personnel Department will verify the grade level in accordance with the grading system being used by the City. All recommended grade changes will be submitted to the Council annually, just prior to the annual budget review.

The Personnel Department will periodically review all current classified and unclassified position descriptions for accuracy and grade verification. The Personnel Department will consult with the

Department Head to determine if there have been any changes in job skills or responsibilities for each position since the last job grade review. Updated job descriptions will be prepared as needed. Once the updated job descriptions are complete and accurate, the Personnel Department will verify the grade level in accordance with the grading system being used by the City. All recommended grade changes shall be submitted to the Council annually, just prior to the annual budget review.

4.4 COMPENSATION PLAN

The City will establish and maintain a comprehensive compensation plan for both non-exempted and exempted employees. The pay of all employees other than those whose pay is established by State Law shall be determined by the City Council. No deviations shall be made from the approved compensation plan unless approved in writing by the City Council.

The compensation plan lists the pay ranges for every job listed in the job classification plan. The pay plan includes a minimum and a maximum rate for each class of positions and such intermediate rates as the City considers necessary or equitable.

The City Clerk shall maintain the official master compensation plan for the City of Taylor. The City Clerk shall notify Department Heads and payroll personnel whenever the official compensation plan has been amended by City Council action.

4.5 HOURS OF WORK AND PAY SCHEDULES

City offices will be open for business as established by the City Council in coordination with other elected officials. The Mayor and/or City Council shall establish the workweek for their employees. In all instances, equal treatment of all employees doing the same kind of work is required. Employees shall be paid weekly, bi-weekly, or monthly as established by the City.

4.6 OVERTIME PAY AND COMPENSATORY PAY

All Exempted positions shall be exempt from overtime pay. In addition, certain non-exempted positions are exempt from overtime as defined by the specific job description for these positions. Most non-exempted positions with the City have non-exempt status as defined by the job description for the position and are therefore eligible for overtime pay.

Non-exempt employees who are required to work more than the standard 40-hour workweek established for their position will be paid overtime in accordance with provisions of the FLSA. Time and one half pay will be paid for all hours over 40 hours worked in one week. Only actual time worked will b e used to calculate over - time pay. Vacation, sick leave and holiday pay will not be used in overtime pay calculations.

4.6.1 EMERGENCY CALL BACK PAY

Emergency Call Back

An emergency call back occurs when a nonexempt employee is requested by management to return to work after leaving the city work premises following his or her work shift to respond to a work-related emergency which cannot wait until regularly scheduled working hours. Each department should identify those positions and/or employees that are likely to be called back to work in the event of an emergency and management should carefully weigh the costs and benefits of alternatives before authorizing

emergency call back pay. Employees may be called back to work for emergencies which require a response on short notice and for which the call back work will serve to:

- Avoid significant service disruption
- Avoid placing employees or the public in unsafe situations
- Protect and/or provide emergency services to property or equipment

When an employee has left the work site and is called back by management to work before or after completing the regular work schedule and upon leaving the premises, the employee shall be paid for time actually worked upon return or a minimum of two (2) hours, whichever is greater. In accordance with FLSA, travel time from the home location to the primary work site is not compensable. Emergency call back time actually worked will be paid at overtime rate.

- Employees returning to work shall receive a minimum of two (2) hours compensation as time off or additional pay at the overtime rate of pay for each occasion of callback. Call back time does not go toward calculating overtime or standard time. It will be counted as separate time as worked holiday pay does.
- If the time on callback is more than the two (2) hours allowed, the employee shall be compensated for the actual time on callback.
- Holiday pay and overtime pay shall be received in addition to emergency call back pay, if applicable.
- Time actually worked and, if applicable, travel to a remote worksite from the primary work location, shall be included in hours worked for determining emergency call back hours.
- The provisions of this policy do not apply when the emergency call back causes the employee to return to work less than one (1) hour in advance of his/her start time.
- Employees whose work continues following the end of the regularly scheduled hours of work will not be considered to be called back.

4.7 TRAVELS AWAY FROM THE CITY

All reimbursable travel away from the city must be approved in advance by the City Council. Employees should make use of City vehicles if a vehicle is available. Whenever possible, two or more employees or officials should share rides. If private automobiles are used, employees or officials will be reimbursed at the current IRS mileage reimbursement rate.

4.7.1 TRAVEL EXPENSE REIMBURSEMENT

(a) City employees and officials will be reimbursed for reasonable and customary expenses actually incurred in connection with the business of the City, including food, gratuity, lodging and travel expenses while away, but excluding any expenses for alcoholic beverages, internet service, valet parking, movies or other non-essential items or services. City employees and officials shall receive a per diem, not to exceed $40.00, for travel expenses actually incurred while traveling on official city business. The per diem does not include reimbursable mileage or other transportation expenses. The per diem is for the employee's food or other related food expense.

(b) Requests for reimbursement, including receipts, shall be submitted to the treasurer on an expense report form signed by the employee or official within thirty (30) days of incurring the expense. No expense will be paid after the thirty (30) day time limit. If the expense report has not been previously approved by the City Council, the reimbursement will not be paid until the Council has approved the submitted request. **Exception may be made for one day training if approved by Mayor.**

4.8 PERFORMANCE APPRAISALS

4.8.1 GENERAL PROCEDURES

The performance of all regular status employees will be evaluated at least annually within 30 days of their hire month. An annual appraisal may or may not be accompanied by a salary increase, depending upon the employee's job performance and funding availability.

Performance appraisals will be documented on the appropriate forms.
The employee's supervisor and/or Department Head, as appropriate, will review all written evaluations with the employee in a confidential meeting. The supervisor will provide advance notice of the meeting.

4.8.2 RATING SCALE

Each regular status employee will receive an overall performance rating. The rating scale for performance appraisals shall consist of the following:

1 = Unacceptable - Consistently fails to meet job requirements; performance clearly below minimum requirements. Immediate improvement required to maintain employment.

2 = Needs Improvement – Occasionally fails to meet job requirements; performance must improve to meet expectations of position.

3 = Meets Expectations – Able to perform 100% of job duties satisfactorily. Normal guidance and supervision are required.

4 = Exceeds Expectations – Frequently exceeds job requirements; all planned objectives were achieved above the established standards and accomplishments were made in unexpected areas as well.

5 = Superior – Consistently exceeds job requirements; this is the highest level of performance that can be attained.

NOTE: This is an average based on point per functions-divided by the sum.

4.8.3 INTERIM APPRAISALS

Interim appraisals are for the specific purpose of correcting performance deficiencies. Any non-exempted employee with an overall annual performance rating of "Improvement Needed" must be given an interim appraisal at least at three-month intervals until his/her performance improves to an acceptable level or disciplinary action is taken. In addition, any non-exempted employee may be given an interim appraisal more frequently if the employee's performance warrants.

4.8.4 CORRECTIVE ACTION PLANS

Any non-exempted employee who receives an overall rating of "Unacceptable" must be given a detailed written Corrective Action Plan approved by the Mayor with a specific time period for improving job performance along with the standard performance appraisal. Failure to improve job performance to an acceptable level within a reasonable period of time will result in dismissal from employment.

4.9 MERIT REVIEW SYSTEM

4.9.1 DEFINITION OF MERIT INCREASE

Annual performance appraisals may or may not be accompanied by a salary increase depending upon an employee's job performance and overall rating. Salary increases shall be based on merit and only granted when the Department Head and/or Mayor or City Council certifies that the employee's performance merits recognition, and when the Mayor has approved the salary increase. In general, to be eligible for a merit increase, an employee must receive an overall performance rating of Meets Expectations (ME) or higher on his/her annual performance appraisal.

4.9.2 APPROVAL SIGNATURES AND PAYROLL CHANGE FORMS

The performance appraisal and a completed pay change form if applicable for each employee must be returned to the Personnel Department as soon as possible.

The Personnel Department shall submit all forms and other documentation to the Mayor for review, approval, and signature. Personnel Department shall return the appraisal, payroll forms, and other documentation to the Department Head once the Mayor's signature is obtained.

A performance appraisal and/or pay increase shall not be shared with any employee unless the Mayor's approval and signature have been obtained.

The Department Head shall insure that the supervisor meets with each employee to review his/her appraisal.

4.9.3 EFFECTIVE DATE OF MERIT INCREASES

Annual salary increases are effective the first full pay period after the effective date of the performance appraisal.

5.0 TIME OFF POLICIES

5.1 HOLIDAYS

The following days shall be observed as official paid holidays by the City:

New Year's Day	January 1
Martin Luther King's Birthday	January (Third Monday)
Memorial Day	May (Last Monday)
Independence Day	July 4
Labor Day	September (First Monday)
Veteran's Day	November 11
Thanksgiving Day	November (Fourth Thursday)
Friday after Thanksgiving	November (Fourth Friday)
Christmas Eve	December 24
Christmas Day	December 25

At the beginning of each fiscal year, the City Council may designate additional holidays that the City will observe. The Council will publicize the additional holidays at that time. When an official holiday falls on Sunday, the holiday shall be observed on the Monday after the holiday. When an official holiday falls on Saturday, the holiday shall be observed on Friday before the holiday. The City reserves the right to shift holidays to maximize scheduling of certain key services within the City of Taylor.

City employees are expected to work the scheduled workday immediately preceding and following a holiday in order to be eligible for holiday pay. If an absence is unauthorized or unexplained for these days, the holiday will not be paid.

In the event an employee works on an observed holiday, the following pay schedule shall be used:
Employees will be paid holiday pay for the stated eight (8) hours for full time employees or the appropriate prorated rate for part time employees.
Employee who work on the holiday will be paid the standard overtime rate for the actual hours worked. These hours will be set aside and not used for any other overtime or regular pay calculations.
Any hours accumulated as overtime (not including the holiday work hours) will be calculated after the regular 40 hours are accumulated. Overtime will be paid at the standard overtime rate.

Example: John Doe works the following schedule:

Saturday	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Total Hours Worked
0	8	10	Holiday (works 9 hours)	8	10	9	8 Holiday 9 Holiday OT 40 Regular 5 Overtime

Hours will be calculated as follows:
Holiday pay – 8 hours straight time

Example continued: Overtime on holiday – 9 hours at 1 ½ times regular pay (set these hours aside, they will not be used to calculate 40 hour base or overtime hours)

Regular hours: 40 (8 Sun+10 Mon +8 Wed + 10 Thurs +4 from Friday)
Overtime hours: 5 (Balance of Friday)

At the discretion of the Department Head, an employee who is required to work an official holiday shall be given compensatory time off within the next (90) days or paid for the actual hours worked at his/her overtime rate of pay.

5.2 BEREAVEMENT LEAVE

In the unfortunate event of the death of an immediate family member, a regular status employee may request bereavement leave of three (3) days to attend the funeral of a member of his/her immediate family. Immediate family members shall include spouse, children, parents, sister, brother, grand-parents, grandchildren, mother-in-law, father-in-law, son-in-law, and daughter-in-law, grandparents-in-law, stepmother, stepfather, stepson, stepdaughter, uncle or aunt. Additional bereavement leave of one (1) day for a niece or nephew.

Bereavement leave shall be paid only for regularly scheduled work hours missed and not for any other days such as holidays or scheduled days off. An employee may not receive pay in lieu of taking bereavement leave.

Depending on circumstances, the City reserves the right to require proof of death and the relationship to the deceased. If additional time is needed, an employee may request vacation leave.

5.3 JURY DUTY LEAVE

A leave of absence for jury duty will be granted to any employee who has been notified to serve on a jury.

Full-time non-exempted and exempted employees will receive paid leave for the hours of actual verifiable jury service. Temporary employees shall receive unpaid time off for jury service. Any regular status employee on jury duty leave is expected to report to work for any day or partial day that he/she is excused from jury duty unless annual leave is approved in advance.

Upon receipt of the notice to serve on a jury, the employee will immediately notify his/her supervisor. A copy of the jury duty notice should be attached to the employee's attendance record for the week. Upon return to work, the employee shall submit a signed Certificate of Jury Service verifying the days or hours served to his supervisor, who shall forward a copy to Personnel Department.

5.4 CIVIL AND LEGAL LEAVE

Civil and legal leave is paid leave granted to an employee for court attendance as a witness in cases which do not involve the employee's own personal litigation. An employee pursuing his own personal litigation shall be required to take annual leave.

An employee's required attendance in court as a representative of the City in an official capacity shall not be considered as leave. The provisions of any law or departmental rule that requires witness fees to be turned in to the City shall be observed.

5.5 MILITARY LEAVE

5.5.1 GENERAL PROVISIONS

The City of Taylor shall comply with all aspects of the Uniformed Services Employment and re-employment Rights Act of 1994, herein after referred to as USERRA. The City shall not discriminate against any employee or job applicant with regard to hiring, retention, promotion or any benefit of employment because of past, present, or future application for or membership in the uniformed services. USERRA applies to both voluntary and involuntary military service.

5.5.2 SHORT-TERM MILITARY LEAVE

A non-exempted or Exempted employee, who is an active member of the Alabama National Guard, naval militia, or the Alabama state guard organized in lieu of the national guard, or of any other reserve component of the armed forces of the United Stated, shall be entitled to a military leave of absence from their respective duties on all days that they shall be engaged in field or coast defense, or other training, or other service ordered under the provisions of the National Defense Act, or the federal laws governing the United States reserves without loss of pay, service time, seniority, annual leave, sick leave and all other applicable benefits.

5.5.2.1 Compensation while on Short-Term Military Leave

In accordance with the Code of Alabama 1975 Title 31-2-13, no such person granted such a short-term leave of absence with pay shall be paid for more than 168 working hours per calendar year. However, such persons shall be entitled, in addition to the above, to be paid for no more than 168 working hours at any one time while called by the Governor to duty in the active service of the state.

No employee will be required to use paid annual leave or personal leave for military duty, but has the option of applying paid annual or personal leave if the employee would otherwise be on unpaid leave.

5.5.2.2 Benefits while on Short-Term Military Leave

All applicable benefits shall continue as if the employee were continuously employed.

5.5.3 CALL TO ACTIVE DUTY LEAVE

A non-exempted or exempted employee, who serves in an active duty deployment with the Armed Forces of the United States, shall be granted a leave of absence for a period of up to five years in accordance with USERRA.

5.5.3.1 Compensation while on Leave

In recognition of the public service performed by military personnel, the City shall pay the difference between the employee's regular pay for a standard work week and their military service pay per week, exclusive of any subsistence allowance or expense allowance or other paid benefits for up to 12 months while the employee is on active duty leave. However, this provision does not apply to any period of time that the employee shall receive paid annual or personal leave.

Although the City shall provide a pay differential for up to 12 months, the employee shall still be considered to be in an unpaid leave status.

5.5.3.2 Benefits while on Active Duty Leave

No employee shall be required to use paid annual or personal leave for military duty, but employees who do elect to schedule their vacations to coincide with military duty will receive their full regular vacation pay in addition to any pay from the military. However, the employee will be ineligible to receive the pay differential specified in 5.5.3.1 while receiving vacation pay from the City.

Time spent on active military duty will be credited to all employees toward meeting the length of service requirements for annual leave accrual rates. However, employees do not accrue paid annual leave and paid sick leave while in an unpaid leave status. Such benefits are based on actual work performed and not seniority.

The employee shall have the option of continuing his or her medical insurance and dental insurance through the City of Taylor while on active duty status. The employee shall be expected to pay the employee's regular monthly portion of the premium in effect at the time of his/her leave.

Time spent on active military duty will be credited to all employees toward meeting the length of service requirements for eligibility for retirement benefits. However, both employer and employee contributions are suspended during military service because the employee is not in a pay status. When the employee returns from military leave, he/she has a finite period of time to purchase the military service, and the City is required to also provide the employer's contributions.

5.5.3.3 Re-employment

In accordance with USERRA, upon release from military service the employee shall be re-employed by the City in the same or comparable position with no change in grade or salary provided that reinstatement is not impossible or unreasonable based on the employer's present circumstances. A reduction in force that would have included the person would be an example of a change in employer's circumstances.

A returning employee shall also receive any cost of living raise implemented during his/her military leave of absence. To be eligible for re-employment, the employee must meet the following eligibility requirements:

- The employee must make application for reemployment to the City within 14 days following active duty military service of 31 to 180 days.

- The employee must make application for re-employment to the City within 90 days after completion of active duty military service of 181 or more days.

- The employee must be physically and mentally capable of performing the essential functions of the position with or without reasonable accommodation.

The application deadline for re-employment may be extended for up to two years for persons who are hospitalized or recovering due to a disability incurred or aggravated during military service.

5.5.3.4 Seniority upon Return to Work

Re-employed service members shall be entitled to the seniority and all rights and benefits based on seniority that they would have attained with reasonable certainty had they remained continuously

employed. This provision shall also apply to any seniority-based privileges for shift assignments, work assignments, or other working conditions which have been established by any City department.

5.5.3.5 Replacements for Military Leaves

Any individual hired to perform the duties of an employee on military leave shall be hired as a temporary employee and shall sign a letter of understanding that he/she will be subject to lay-off when the employee on leaves returns to work.

A temporary employee hired to fill a military leave shall be eligible for city benefits provided that the employment period shall be for 180 days or longer.

5.6 VACATION

All non-exempted, exempted, and probationary employees shall earn paid annual leave based upon continuous years of service as designated in the Annual Leave Accruals Table included in this policy section.

The annual leave year for the employee will be based on their hire month. Annual leave will accrue proportionally for each full month worked and will be credited to the employee each week of service. Annual leave shall not accrue while an employee is in non-pay status.

Annual leave will be taken and charged in units of hours and days. When a paid holiday occurs during an employee's scheduled annual leave, the day will be credited as a holiday and not as an annual leave day.

5.6.1 GENERAL PROVISIONS

Requests for annual leave shall be made as far in advance as possible. Leave will be approved at the discretion of the Department Head and/or Mayor taking into consideration the needs of the City, the department, and the employee. Annual leave shall be taken at the convenience of the department.

Except in the most unusual circumstances, annual leave requires advance approval for each absence. Failure to comply with this requirement may result in the absence being treated as an unauthorized absence.

Compensation for unused annual leave will not be compensated for. Annual leave cannot be carried forward into the next fiscal year. An employee who is dismissed from city employment shall receive, at the time of separation, pay for any unused accrued annual leave. An employee who voluntarily terminates employment, may be paid for all unused accrued annual leave at his/her current rate of pay or required to take his/her leave at the discretion of the department head and City Council.

City of Taylor Senior Center employees shall take vacation leave that coincides with the schedule and calendar established by the Southern Alabama Rural Council On Aging (SARCOA). The first week of vacation will be the week of July 4th and the second week of vacation will be the week of Christmas/New Years.

TABLE 1: ANNUAL LEAVE ACCRUALS

Years of Service	Leave Time
0 but less than 5 years	5 days (40 Hours)
5 years but less than 15 years	10 days (80 Hours)
Over 15 years	15 days (120 Hours)

5.7 SICK LEAVE

5.7.1 GENERAL PROVISIONS

Sick leave is not a benefit payable on demand, but is provided to insure that any employee who is unable to work due to illness does not feel compelled to do so for financial reasons. Any unjustified or fraudulent claim for sick leave may be punished by loss of pay, the charging of annual leave, and/or disciplinary action up to and including dismissal.

Full time employees shall earn credit for paid sick leave at the rate of one day (6 hours) per full month worked for a total of 72 hours per year. Employees may accumulate up to 240 hours of sick leave and no more. Upon separation from the service, all sick leave is canceled and is not transferable to annual leave. Lump sum payment for sick leave is prohibited.

Sick leave will be charged in units of hours and days. When a paid holiday occurs during the period an employee is on sick leave with pay, the employee shall receive his /her regular holiday pay and that day shall not be charged against his/her sick leave. At the employee's request, any accrued annual leave time may be applied and extended for illness as if it were sick leave. Sick leave days will not be earned while an employee is in non-pay status.

Sick leave with pay, if accrued, may be granted for the following reason(s):

- When an employee is unable to work due to personal illness or injury incurred off duty.
- When the employee's presence may endanger the health of fellow workers.
- When the employee is part of an enforced quarantine in accordance with community health regulations.
- For appointments with a doctor, dentist, optometrist, or other health care provider.

Maternity Leave - Pregnancy will be treated as any other incapacitating illness. Pregnant employees cannot be required to use their annual leave for maternity leave in lieu of sick leave except that City policy requires both paid annual leave and paid sick leave be used concurrently with any absences that qualify under the Family Medical Leave Policy. A pregnant employee cannot be forced to begin maternity leave early because of negative feelings of co-workers or customers. All consideration for maternity leave will be made without reference to marital status. If a pregnant employee is temporarily unable to perform some job tasks, she will be excused from those tasks so long as she can still perform the majority of her job duties.

The illness or incapacitation of an immediate family member whose illness requires the employee's care. For the purpose of this policy, immediate family shall be defined as spouse, son, daughter, mother, father, grandmother, grandfather, brother, sister, mother-in-law, father-in-law, step-mother, step-father, step-children, and/or guardian.

In order to receive pay for sick leave, an employee must meet the following conditions:

- The employee shall personally notify his/her immediate supervisor of his/her absence within thirty (30) minutes prior to or after his/her usual reporting time, or as soon as possible thereafter, of his/her inability to report to work.

- Failure to provide timely and appropriate notification may be cause for denial of sick leave with pay for the absence and may also result in disciplinary action depending on circumstances.

Denial of sick leave shall result in the employee being charged with annual leave or placed in some non-pay status at the discretion of the department head.

- For periods of absence in excess of two (2) consecutive workdays, an employee may be required to submit a medical certificate signed by a licensed physician. The medical certificate must include the doctor's certification that the employee has been incapacitated for work for the period of absence, the nature of the employee's sickness or injury, and when he/she will again be physically able to perform his/her duties. A medical certification may also be required if the employee is absent due to the illness of an immediate family member. In addition, a Department Head has the discretion to require a medical certificate for every absence for which the employee has requested sick leave.

5.7.2 TRANSFER OF SICK LEAVE

In situations where a city employee has a catastrophic illness (such as cancer or major surgery) or disability due to injury or accidents, employees may transfer some of their sick leave to the employee in crisis. Sick leave may be transferred with the following conditions:

- Each incident must be reviewed and approved by the City Clerk and Mayor
- The receiving employee must have exhausted all their sick leave before additional sick leave may be granted or transferred
- Transfer is limited to the time needed for a particular situation
- The employee may not stock pile hours in excess of sick time used
- Employees may not transfer more sick time than they have previously accumulated.
- Employees transferring sick time do so willingly and of their own accord.

5.7.3 CONVERSION OF UNUSED SICK LEAVE TO RETIREMENT CREDIT

In accordance with Act 88-904 of the Second Special Session of the 1998 Alabama Legislature, an employee at the time of his/her retirement may elect to:

- Convert unused sick leave to retirement credit or
- Be paid for one-eighth (1/8) of the accrued sick leave, provided he/she has ten (10) or more years of continuous service.

Below is an explanation of the provisions of Act 88-904 and a chart used by the Retirement System to convert unused sick leave to retirement credit:

The Act allows certain members of the Employees' Retirement System to convert unused sick leave to retirement credit. The Act applies only to employees who, after converting unused sick leave days to service credit, meet the minimum qualifications for service retirement. The minimum qualifications for service retirement for Tier 1 age 60 with at least 10 years of creditable service or at any age with 25 or more years of creditable service, regardless of age. Tier 2 at age 62 with at least 10 years of creditable service. Law enforcement, firefighters, etc. fall under a different scale.

A member retiring on disability may convert unused sick leave to retirement credit only if he/she meets the minimum qualifications for service retirement. Conversion of unused sick leave may not be used for deferred retirement.

Members who are entitled to payment at retirement for accrued unused sick leave may elect to receive

retirement credit in lieu of payment of sick leave.

The following chart will be used by the State Retirement System to convert sick leave to retirement service credit.

0-10	0
11-30	1 etc.

5.8 LEAVE UNDER THE FMLA & NATIONAL DEFENSE AUTHORIZATION ACT

5.8.1 GENERAL PROVISIONS

In compliance with the Family Medical Leave Act of 1993, the City of Taylor shall grant up to 12 weeks of family and medical leave in a 12-month period to eligible employees and for qualifying reasons. This leave may be paid, unpaid, or a combination of paid and unpaid leave depending on the circumstances of the leave, and as specified by this policy.

This policy is not intended to create any entitlements for employees greater than those required under the Family and Medical Leave Act of 1993.

In addition to compliance with the Family Medical Leave Act, the City shall comply with leave requirements as specified under the National Defense Authorization Act signed into law on January 28, 2008. Under this law, eligible employees may qualify for up to 26 weeks of leave in a single 12 month period to care for a military service member to run concurrent with other types of family medical leave.

In the event there is a conflict between the City of Taylor policy and any requirements set forth in the Family and Medical Leave Act Federal regulations or the National Defense Authorization Act, the Federal regulations shall prevail.

5.8.2 ELIGIBILITY

Eligibility under the Family Medical Leave Act

In order to qualify to receive family or medical leave under this policy and the Family Medical Leave Act, the employee must meet all of the following conditions:

- Must have worked at least 1,250 hours during the 12 month period immediately preceding the date for the commencement of the leave (time worked must be actual hours worked and shall not include any paid or unpaid leave time.)
- Must have been employed for at least a total of 12 months with the City of Taylor;
- Must provide a written medical certification for the leave, upon request;
- Must provide at least 30 days advance notice if the leave is due to the birth of the employee's child or the placement for adoption or foster care of a child;
- Must provide at least 30 days advance notice, if the leave is foreseeable and due to a serious health condition. If the leave is not foreseeable, an employee shall provide as much notice as is reasonable and possible.

Eligibility for Leave under the National Defense Authorization Act

In addition to the above criteria for Family Medical Leave, the employee must be the spouse, son, daughter, parent, or next of kin of a service person (including a member of the National Guard or Reserves) to qualify for additional leave permitted under the National Defense Authorization Act.

5.8.3 TYPE OF LEAVE COVERED

Under the Family Medical Leave Act
To qualify for family and medical leave under the Family Medical Leave Act, the employee must be requesting the leave for one of the following reasons:

- The birth of the employee's child and in order to care for that child;
- The placement of a child for adoption or foster care with the employee and to care for the child;
- To care for the employee's spouse, parent, or child under age 18 with a serious health condition;
- The serious health condition of the employee.

Leave Under the National Defense Authorization Act

To qualify for leave under the National Defense Authorization Act, the employee must be requesting the leave for one of the following reasons:

A qualifying emergency arising out of the fact that the spouse, son, daughter, or parent of the employee is on active duty, or has been notified of an impending call to active duty status, in support of a contingency operation. (This type of leave is limited to 12 weeks in a 12-month period inclusive of any other forms of qualifying family medical leave.)

To care for a covered service member who is recovering from a serious illness or injury sustained in the line of duty on active duty. (This type of leave is limited to 26 weeks of leave in a single 12-month period inclusive of any other type of qualifying family medical leave.)

5.8.4 DEFINITION OF SERIOUS ILLNESS

For purposes of this policy, a serious health condition is defined as:

- An illness requiring in-patient care at a hospital or medical treatment facility or
- A condition which requires continued treatment by a health care provider or
- A period of incapacity or treatment due to a chronic serious health condition or
- A period of incapacity due to illness for more than three workdays.

This policy is not intended to cover minor illnesses or medical procedures, where the treatment and recovery are brief, and generally part of an incidental sickness or absence.

5.8.5 AMOUNT OF LEAVE

The year for FMLA purposes shall be a calendar year. Any leave taken under family and medical leave will be charged against the employee's total allocation for the calendar year.

An eligible employee may take up to 12 weeks of family and medical leave during any one calendar year except that spouses who both work for the City are limited to a combined total of 12 weeks of leave for the birth of a child, adoption of a child, or placement in foster care of a son or daughter.

5.8.6 INTERMITTENT LEAVE OR A REDUCED WORK SCHEDULE

An employee may take FMLA leave in 12 consecutive weeks, or use the leave intermittently such as taking a day periodically through the year, or under certain circumstances use the leave to reduce the work week or work day. In all cases, the leave may not exceed a total of 12 workweeks during the calendar year.

The City may temporarily transfer an employee to an available alternative position with equivalent pay and benefits to better accommodate the intermittent leave or reduced work schedule.

For the birth, adoption, or foster care of a child, the City and the employee must mutually agree to the schedule before the employee can take the leave intermittently or work a reduced hour schedule. If leave is taken for the birth of the employee's child or for adoption or foster care of a child, the leave must conclude within the 12-month period following the birth or placement for adoption or foster care.

If the employee is taking leave for a serious health condition or because of the serious health condition of a family member, the employee should try to reach agreement with the City before taking intermittent leave or working a reduced hour schedule. If this is not possible, then the employee must show that intermittent leave is medically necessary.

Family and medical leave may be paid or unpaid depending on the employee's specific circumstances. All types of accrued paid leave including paid sick leave, annual leave, and personal leave must be used in conjunction with family and medical leave. Thus, an employee who has 12 weeks of family and medical leave and one week of accrued sick leave will have a total of 12 weeks of family and medical leave with one week paid as sick leave pay and the other 11 weeks will be unpaid.

5.8.7 PROCEDURES FOR TAKING LEAVE

An employee may either request family and medical leave or the City may identify an employee's absence as a family and medical leave absence.

Each employee shall complete a Family Medical Leave Request form for any period of absence from work for four or more consecutive workdays for either the employee's illness or the serious health condition of a family member. If the leave if foreseeable, the employee shall complete a Family Medical Leave Request Form at least 30 days in advance of the leave date. If the leave is unforeseeable, the request form shall be completed as soon as practical.

If the leave is due to the employee's own serious health condition, the City shall request written medical certification of the serious health condition. If the leave is due to the serious health condition of a child, parent, or spouse, the employee is required to bring written medical certification that he/she is needed to care for the family member. The employee and the health care provider must complete a medical certification form provided by Personnel Department. The City requires the right to request a second medical opinion if it has reason to doubt the certification. The City will pay for the employee to obtain certification from a second doctor selected by the City.

Employees must provide written medical certification of the need for leave no later than 15 days following the request for certification. Failure to provide written certification upon request may result in the denial of leave. Additionally, the City may request additional medical certifications if the leave is to be extended beyond the original request period.

5.8.8 BENEFITS DURING LEAVE

While an employee is on leave, the City will continue the employee's health benefits including dental benefits during the leave period at the same level and under the same conditions as if the employee had continued to work, provided the employee pays his/her portion of the monthly premiums. The employer's continuance of health insurance plans during a family or medical leave is required by Federal Law regardless of whether or not the leave is paid or unpaid leave.

An employee may elect to discontinue group medical and dental insurance coverage during the leave period. When the employee returns to work, he or she is entitled to reinstatement to the group medical and dental plans on the same terms as before taking leave without any qualifying period, physical examination, or exclusion of pre-existing conditions.

If an employee chooses to retain his/her group medical and dental insurance coverage during the leave period, the employee must notify Personnel Department. If the employee retains coverage, the employee is required to pay the family portion of the monthly health and dental premiums. The City will continue to make payroll deductions to collect the premiums while the employee is on paid leave. If the employee is on unpaid leave, the employee must continue to make his/her premium payment either in person or by mail. The payment must be received by the Payroll Clerk by the first day of the month. If a n employee fails to pay his or her portion of the premiums for medical and/or dental insurance, coverage shall terminate for his/her dependents thirty days after the payment is due.

If the employee contributes to a life insurance plan and disability plan, the City will continue making payroll deductions while the employee is on paid leave. If the employee is on unpaid leave, an employee may request continuation of such benefits, and pay his/her portion of the premiums. If the employee fails to pay premiums, the City will discontinue coverage during the leave.

5.8.9 RETURNING FROM LEAVE AND REINSTATEMENT

An individual hired to perform the duties of an employee granted an extended FMLA leave of absence shall be hired as a temporary employee and shall sign a letter of understanding that he/she is subject to lay-off when the employee on leave returns.

Any employee on leave status shall remain in contact with the City regarding the expected duration of the leave and anticipated date of return to work. At the completion of the leave, the employee will be eligible to return to his or her former position or an equivalent position with the same grade and pay step unless the employee would have been transferred, laid off, or terminated had the employee not taken leave. In addition, the employee's seniority, job status, compensation, and all other rights and privileges of employment will be restored.

If the leave was due to the employee's serious health condition, the City shall require, for safety reasons, that the employee provide a "Return to Duty" medical certification that he/she can safely perform his /her job duties prior to returning to work. If an employee is unable to return to work following the leave period, the employee shall provide advance notice to his/her supervisor and Personnel Department and make a written request for an extension of the leave.

If an employee fails to return to work following the leave period, the employee shall be considered a voluntary quit unless: 1) the failure to return is beyond the employee's control or due to another verifiable serious health condition, or 2) the employee has made a written request for a leave extension.

If an employee fails to return to work following the leave period, the employee shall be required to reimburse the City for the City's share of the employee's health and dental premiums paid during the leave.

Questions concerning Family Medical Leave should be directed to Personnel Department.

5.9 LEAVE OF ABSENCE WITHOUT PAY BEYOND FMLA

5.9.1 GENERAL PROVISIONS

A leave of absence without pay may be granted beyond the 12 weeks of family medical leave for an additional period not to exceed one year when it is in the interest of the local government to do so. An unpaid leave of absence beyond family medical leave will not be granted until all other types of paid accrued leave, including compensatory time, have been exhausted. Reasons for such leave include, but are not limited to: short-term sickness, disability, or other reasons of a similar or critical nature. For the purpose of this policy, an authorized leave of absence related to workers compensation shall not be considered as an unpaid leave of absence.

To apply for an extended leave of absence without pay beyond Family Medical Leave, the employee must submit a Request for Unpaid Leave form to Personnel Department along with medical certification from his or her physician or other recognized authority. If possible this request shall be submitted in advance of the leave. Personnel Department shall submit the request to the Department Head, the City Council, and Mayor for consideration. To be approved, the leave must not cause undue hardship on the City and must have the approval of the Department Head, the City Council, and the Mayor. Personnel Department shall notify the employee of the City's final decision.

5.9.2 BENEFITS DURING AN UNPAID LEAVE BEYOND FMLA

If an employee is on leave without pay beyond Family Medical Leave for more than 30 days, the employee is eligible to continue medical and dental insurance under the provisions of COBRA, but shall be required to pay the entire monthly premium plus any administrative fees required.

No other benefits shall accrue to an employee on leave without pay granted beyond the Family Medical Leave period including but not limited to annual leave, sick leave, and retirement service credit.

5.9.3 REINSTATEMENT TO EMPLOYMENT

An individual hired to perform the duties of an employee granted leave without pay shall be hired as a temporary employee and shall sign a letter of understanding that he/she is subject to lay-off if the employee on leave returns.

Any employee on leave status is expected to remain in contact with the City regarding the expected duration of the leave and his/her anticipated date of return to work. When the leave of absence expires, the employee shall be reinstated to the position and pay step held before the leave of absence unless the position has been eliminated due to a reduction in force or reorganization. In addition, the employee's seniority, job status, compensation, and all other rights and privileges of employment will be restored.

If necessary to insure effective service, the City may require an employee granted leave without pay beyond FMLA to return to work before the expiration of the leave. If an employee fails to return after being required to return, the employee is considered to have resigned and may be separated from employment.

Failure of an employee granted leave without pay to report for duty promptly at the end of the leave will be grounds for dismissal.

5.10 TRANSITIONAL DUTY AND/OR RETURN TO WORK POLICY FOR WORKER'S COMPENSATION INJURIES ONLY

5.10.1 SCOPE

The scope of this policy shall apply only to employees of the City of Taylor who have b e e n injured on the job and such injury is being administered under the Worker's Compensation Act of the State of Alabama.

5.10.2 LEAVE OF ABSENCE

It is the policy of the City of Taylor to offer leaves of absence when appropriate to employees who are no longer medically able to continue the essential duties of their permanent job and to encourage their return to work consistent with their medical recovery and physician's advice. This Standard Practice Instruction is subject to all other applicable corporate policies, including, but not limited to, Job Posting, Lay-Off and Recall Leave of Absence, Medical Disability, Family Leave (FMLA), Military, and Equal Employment Opportunity.

5.10.3 GENERAL STATEMENT

The City of Taylor confirms that its most valuable asset is its employees. An important goal of the company, therefore, is to return employees who are out of work because of a medical condition to

productive jobs at the earliest appropriate time. All efforts will be made to return an employee to h i s /her former position or to a comparable position that is open. “Transitional Duty” is to be short term. Should an employee acquire a health condition, medically precluding successful accomplishment of the assigned essential job functions, during the healing period of such health condition, the company will make a reasonable effort to provide a temporary transitional job until such time as physician(s) has/have determined that employee has reached maximum medical improvement, or 90 days have transpired from the effective date of this policy, whichever last occurs. This policy is inclusive of “FMLA” and the other corporate leave policies. Upon reaching maximum medical improvement, the facility will determine whether a reasonable accommodation can be made in some available permanent job, after considering all medical restrictions. If we are unable to reasonably accommodate the specific restriction, the employee is to be placed on a medical leave of absence.

5.10.4 DEFINITIONS

Permanent Restriction(s) – Those restrictions issued by the treating physician, or the nurse, which are not expected to change during the course of employment.

5.10.5 PROCEDURE

1. Once the medical condition has been diagnosed and, again, when the individual has reached maximum medical improvement according to the treating physician, the employee must advise his/her supervisor who will advise the City Clerk.

2. (a) During the healing period, the transitional duty program will be made available, as set forth in the General Statement.
   (b) Upon reaching maximum medical improvement, the treating physician shall indicate whether or not the person has any permanent restrictions. The City Clerk will review those permanent restrictions, and they will decide if the employee can return to their former permanent job or some other available permanent job for which the employee has the requisite qualifications and eligibility. Should an employee have a need for accommodated duty, and no such duty is available, documentation supporting your search for an accommodation(s) is to be placed in the employee’s file.

3. Corporate Policies and applicable state and federal laws should be reviewed for compliance; e.g., Leaves of Absence: Medical, Family or Personal; Lay-Off and Recall; and Job Posting.

4. Productive transitional duty job assignments are designed to assist the employees with returning to their former full time permanent job. When an employee starts transitional job assignment, a specific duration period shall be established. This duration period should not exceed 90 days or maximum medical improvement, whichever last occurs.

5. The employee will be compensated at the normal rate of pay for this position. In the event the pay scale for the position is less than the employee’s normal rate of pay (pre-injury) the employee shall receive the normal rate of pay for the position plus 66 2/3% of the difference between the normal rate of pay for the position and the employee’s pre-injury wage.

6. After the later of reaching maximum medical improvement or the expiration of 90 days, should an employee have a need for accommodated duty, and no permanent jobs are available; documentation supporting your search for an accommodation(s) is to be placed in the employee's file. A copy of the completed documentation will then be sent to the City Clerk or HR designee.

7. State Worker's Compensation and disability laws vary from state to state; therefore a careful review of those laws is necessary. The Americans with Disabilities Act also governs our efforts to reasonably accommodate those individuals who are disabled; every effort shall be made to properly document all efforts and to comply with both the spirit and intent of the law.

8. When an employee returns to full duties, he/she will be required to provide appropriate medical documentation.

9. All benefits are subject to the Taylor Medical Leave Absence policy and are subject to change.

10. This policy is intended to comply with all applicable laws.

6.0 ON-THE-JOB POLICIES

6.1 NEW HIRE ORIENTATION

New employees shall attend a new hire orientation program conducted by Personnel Department which shall include all related tax forms, required Federal and State forms, retirement forms, and benefit forms.

Each employee will be given a copy of the City of Taylor Personnel Policies and Procedures Manual and shall sign an acknowledgement of receipt form.

In addition, each employee will receive a copy of his/her job description and literature concerning city benefits.

6.1.1 DEPARTMENTAL ORIENTATION

The supervisor shall introduce the new employee to all employees within the department and explain the interaction of various functions and the importance of each employee's contributions. The supervisor shall meet with the new employee to discuss work relationships, work habits, safety, and policies that affect the employee and the department. The supervisor shall familiarize the employee with all aspects of the work environment and facility including but not limited to: break room, r e s t r o o m s , equipment, safety policies and procedures, potential safety hazards, time clocks if applicable, and standard operating procedures. The supervisor shall explain the job to be performed and how the new employee will be trained and evaluated during the probationary period.

6.2 PROBATIONARY PERIOD

6.2.1 GENERAL PROVISIONS

Every new employee goes through an initial period of adjustment or acclimation. During this period, the employee will have the opportunity to determine if he or she is suited for the new position, and the supervisor will have the opportunity to evaluate the employee's performance. The probationary employment period shall be regarded as an integral part of the training and evaluation process and shall be utilized for closely observing an employee's work, for obtaining the most effective adjustment of the new employee to his/her position, and for separating any new employee whose performance does not meet required performance standards.

In general, every new employee hired for a non-exempted position completes a probationary employment period of 180 days. However, the City reserves the right to terminate an employee at any time during the probationary employment period for any reason if it's in the best interest of the City. The department head shall provide written notice and justification to the Mayor and the City Clerk of his/her intent to terminate a new hire within the probationary period. Such termination shall require the Mayor's concurrence and approval before implementation. A written notice of rejection shall be furnished to the terminated employee.
In addition, the City reserves the right to extend the probationary period when necessary. The Police Department probationary period is one year. The Police Chief may extend the probationary period if necessary for required training. If a position requires outside certification, the employee will remain in probationary status until obtaining the certification within the time frames established by the certifying agency. In addition, other department heads may extend the probationary period if reasonable and

appropriate. Lengthy absences during the probationary period are discouraged and shall be granted only in justifiable situations. Excused absences in excess of two weeks will also extend the probationary period by an amount equal to the period of absence.

6.2.2 PERFORMANCE EVALUATIONS DURING THE PROBATIONARY PERIOD

The supervisor shall evaluate the performance of each new employee at least twice during the probationary period, generally at three-month intervals. The first rating shall be conducted no later than the end of the first 90-day period, and the second evaluation shall be conducted before the completion of 179 days of employment. The rating period may be adjusted according to any increase in the probationary employment period.

The supervisor will complete a New Hire Evaluation Form in a format established by the City. The evaluation form will include required improvements if the employee's performance has not met acceptable standards. The employee shall sign the written evaluation form. The completed evaluation will be forwarded to Personnel Department for the employee's personnel file.

6.2.3 APPOINTMENT TO THE NON-EXEMPTED SERVICE AND SALARY INCREASE

Employees who satisfactorily complete the probationary employment period may be considered for a salary increase to the next step of the pay grade. Along with the employee's final performance evaluation, the Department Head shall recommend whether or not the employee's status should be changed from probationary to non-exempted and whether or not he/she should receive a salary increase.
Appointment to the non-exempted service shall be based upon:

Satisfactory job performance;
Personal conduct compatible with trust inherent in public service;
Necessity for performance of the work; and
Availability of funds.

The employee's status shall not be changed from probationary to non-exempted until the department head certifies that the employee's service has been satisfactory, and the Mayor approves the status change in writing. In addition, the Mayor must approve any increase in salary. All salary increases, if approved, become effective at the beginning of the first pay period after the expiration of the probationary period.

6.3 SAFETY POLICY

6.3.1 SAFETY POLICY AND PROCEDURE PERSONNEL POLICIES AND PROCEDURES MANUAL

The City of Taylor is committed to establishing and maintaining a safe working environment for all employees and to comply with applicable safety and occupational health laws. To this end, the City has developed a written Safety Policy. The Safety Policy, although a separate document, shall be considered as an incorporated part of the City's Personnel Policies and Procedures Manual contained herein. Each employee shall be provided a copy of the City's Safety Policy and shall sign an acknowledgement form.

6.3.2 MANAGEMENT AND EMPLOYEE RESPONSIBILITY

The City's objective is ZERO accidents; therefore, the City expects the cooperation of all managers, supervisors, and employees to achieve this goal. If there is a question of priorities, safety comes first.

Our managers and supervisors are responsible for the safe operation of machinery and equipment in their departments and the safe work practices of employees on the job. Each supervisor shall insure that each of his employees is familiar with the City's Safety Policy and any departmental standard operating procedures.

Employees shall be trained to work safely and will be expected to work safely at all times. Unsafe working conditions or work practices must be reported immediately to the supervisor. Each employee is responsible for knowing and understanding all general safety regulations and procedures as well as departmental standard operating procedures.

6.3.3 ACCIDENTS AND EMERGENCIES

All employees will be provided first aid and emergency service for any injuries and illnesses that occur while on City property. If an employee is injured in an accident while performing his/ her job duties, the City provides benefits in accordance with the Alabama Worker's Compensation Law.

All city employees are required to report all on-the-job accidents including city vehicle accidents, with or without injury, to their supervisors immediately. The Supervisor will send the employee to a city-authorized physician for medical attention in accordance with the City's written medical protocol. A copy of the City's medical protocol shall be provided to each employee.

Failure to report an accident promptly or to follow established procedures for treatment will be considered a serious policy violation and subject to disciplinary action. In addition, failure to follow procedures for reporting an accident and/or using unauthorized physicians, health care providers, or pharmacies may result in worker's compensation benefits being denied.

The City of Taylor is committed to maintaining a drug-free workplace and has developed a detailed and comprehensive written Alcohol and Substance Abuse Policy, which meets DOT regulations and all other Federal and State guidelines. This policy requires pre-employment testing, random testing, reasonable cause testing, post-accident testing and follow-up testing. The City's Alcohol and Substance Abuse Policy, although a separate policy Personnel Policies and Procedures Manual, shall be considered as an incorporated part of the City's Personnel Policies and Procedures Manual contained herein.

Upon being hired, each employee shall receive a copy of the City's Alcohol and Substance Abuse Policy and shall sign a receipt of acknowledgement form. All employees shall receive annual training related to alcohol and substance abuse and the City's Employee Assistance Program.

6.4 CONFLICTS OF INTEREST

The City expects all employees to conduct business according to the highest ethical standards of conduct. Employees are expected to devote their best efforts to the interests of the City. Business dealings that appear to create a conflict of interest or give the appearance of impropriety are unacceptable.

The purpose of this policy is:

To identify those activities which are not consistent with high standards of public service and contrary to the best interests of the City of Taylor and to protect employees and the City from potential conflicts of interest.

All employees in the City's service are subject to these provisions. Activities considered to be a conflict of interest include but are not limited to the following:

- Failure to comply with the Alabama Ethics Law (Code of Alabama 36-25-1 et.) Seq.) Regarding filing of annual statements of economic interests and/or engaging in any activity considered a violation of Alabama Ethics law.
- The use of one's position and influence to promote business with any company in which he/she has financial interest.
- The use of one's position to contract, or influence contracting, with businesses for personal gain or to benefit friends, relatives, or associates.
- Investments, which might appear to be speculative in real property or business, in the immediate vicinity of a city project site.
- Ownership exceeding one (1%) percent in a public company holding a contract with the City.
- Involvement is a non-City business activity or employment (moonlighting) which reflects badly on the City.
- Political activities that interfere with an employee's ability to perform his/her duties or violate City, state, and/or federal laws.
- Accepting gifts of value from a customer or vendor or potential customer or vendor beyond nominal gifts such an inexpensive holiday gift.

If further guidance is needed, the employee and/or the department head should consult with the City Clerk or the Mayor.

6.5 OUTSIDE EMPLOYMENT

Employment with the City of Taylor shall be considered an employee's primary job. Upon written authorization by the Department Head and the Mayor, a City employee may engage in outside employment or moonlighting, which is defined as any service rendered for wages or fees, including independent contractual services.

Employees may not engage in outside employment which:

- Creates a conflict of interest or gives the appearance of impropriety
- May conflict with or limit the City's demands on their availability for regular work or overtime
- May interfere with proper, efficient, and safe job performance
- May reflect adversely on the City, or subject the City or any of its departments to public criticism or embarrassment.

All anticipated outside employment including contract work shall be reported by the employee in writing to his/her Department Head prior to initiating such work. Upon receipt of such notification, the Department Head, in conjunction with the Mayor and Personnel Department, will determine if such employment may have an adverse impact on the department or the City.

Employees who engage in employment outside of regular working hours shall be subject to being called in to perform work for the City of Taylor as first priority. On occasion, the City may require employees to work beyond normally scheduled hours. Employees are expected to perform such work when requested. In cases of conflicts with outside work activities, the employee's obligations to the City take priority. Employees are hired and continue in the City's employ with the understanding that the City is their primary employer and that other employment or commercial involvement that is in conflict with City interests is strictly prohibited.

No employee shall perform outside employment or actively pursue other business efforts, other than his/her regular duties for the City of Taylor, during assigned work hours for the City.

No employee shall perform outside employment or actively pursue other business efforts during such period of time that the employee is receiving paid sick leave from the City or worker's compensation benefits.

No employee shall use city property, vehicles, equipment, uniforms, and/or time for outside employment activities. However, police officers may be granted permission to use police vehicles, uniforms, and certain types of equipment to perform outside employment related to security since this activity is considered in the public's best interest.

The Police Department may also establish additional requirements and procedures which employees must follow for outside employment or contract work.

6.6 WORKPLACE VIOLENCE POLICY

The City of Taylor will make every effort to provide a safe workplace for all employees. To insure a safe workplace and to reduce the risk of violence, all employees should review and understand all provisions of this policy.

6.6.1 PROHIBITED CONDUCT

The City of Taylor will not tolerate any type of workplace violence committed by or against its employees. Threats, threatening behavior, or acts of violence against employees, citizens, or visitors by anyone on City of Taylor property will not be tolerated.

Employees are prohibited from making threats or engaging in any type of violent activities. The following list of behaviors, while not all-inclusive, provides examples of conduct that is prohibited:

- Fighting.
- Engaging in heated verbal exchanges.
- Causing physical injury to another employee, citizen, or visitor.
- Making threatening remarks to or about a co-worker, citizen, or visitor.
- Threatening a co-worker, citizen, or visitor with any type of weapon.
- Intimidation through direct or veiled verbal or written threats.
- Stalking or harassing another co-worker, citizen, or visitor.
- Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress.
- Intentionally damaging city property, the property of another employee, or the property of a citizen or visitor.

- Throwing objects in the workplace regardless of the size or type of object being thrown or whether or not a person is the target of the thrown object.

- Engaging in name-calling or obscene language and gestures.

- Committing any acts motivated by or related to sexual harassment, racial harassment, other types of harassment, or domestic violence.

- Engaging in violent altercations or exchanges off the job that impact working relationships or serve to damage the City's reputation.

- Possession of a weapon in a city vehicle, or on city property, or while on city business unless expressly authorized by the City and within the scope of the employee's job duties and responsibilities such as law enforcement officers. The exception to this provision would be as follows: Weapons for which an individual has a valid owner's permit may be kept in the individual's personal private vehicle, but the vehicle must be kept locked when unoccupied on municipal property.

6.6.2 REPORTING PROCEDURE

Any employee having knowledge of a violation of this policy shall promptly report such violation to his/her Department Manager. Department Managers will promptly report such violations to the Mayor and City Clerk.

Each employee must notify his/her Department Manager of any threats, which they have witnessed, received, or have been told about that another person has witnessed or received. All personnel are responsible for reporting any behavior in the workplace that they have witnessed that they consider threatening, violent, or harassing.

All reported incidents will be investigated promptly by the appropriate Department Manager, the City Clerk, and other personnel as assigned by the Mayor. If circumstances warrant or if the incident involves a citizen, the Police Department may also be involved in the investigation. If circumstances warrant, the employee(s) involved may be removed from the premises pending the outcome of an investigation.

To the extent possible and feasible, such reports will be kept confidential. The City will not condone nor accept retaliation against any employee who reports violent acts, behavior, or threats, or who participates in an investigation of a violent act, threats of violence, or potentially violent behavior.

6.6.3 IDENTIFYING POTENTIALLY VIOLENT SITUATIONS

While employees are not expected to be skilled at identifying potentially dangerous persons, employees are expected to exercise good judgment and to inform their supervisor or superior if any employee exhibits behavior that could be a sign of potential violence. Such behavior includes but is not limited to:

- Discussing weapons in a manner that a rational and reasonable person would consider to be outside the scope of normal conversation. (In most circumstances, discussion of planned hunting trips, gun shows, etc. would be considered normal conversation.)

- Bringing weapons to the workplace.

- Threatening a co-worker or citizen with a weapon.
- Making threatening remarks whether verbal or written to or about employees and citizens.
- Comments or jokes regarding harm to others.
- Comments or jokes regarding personal harm or suicide.
- Displaying overt signs of extreme stress, resentment, hostility, or anger.
- Extreme overt depression.
- Sudden and significant deterioration of performance or personal hygiene.
- Irrational or inappropriate behavior or extreme changes in personality.
- Any employee who is at risk of violence because he/she is subject to harassment, violence, or threats from a non-employee must report the situation immediately to their Department Manager and to the City Clerk. The City and the Police Department will determine what security measures can be taken to prepare for a potential emergency.

All employees who apply for or obtain a temporary or permanent protective or restraining order which lists the City of Taylor facilities as being protected areas must provide the following to Personnel Department:

- A copy of the petition and declarations used to seek the order.
- A copy of any temporary or permanent protective or restraining order.

6.6.4 COMPLIANCE AND ENFORCEMENT

All Department Managers and Supervisors are responsible for insuring compliance and enforcement of the City of Taylor Workplace Violence Policy.

Violent acts performed by non-employees while in city facilities or on city property will be reported to the Police Department for investigation and follow-up. Such acts must also be reported to the City Clerk.

Following the results of an investigation, the City of Taylor will initiate an appropriate response in accordance with the nature and the scope of the offense. This response may include but is not limited to:

- Written reprimand, suspension or termination of employment.
- Re-assignment of job duties.
- Referral to the City of Taylor Employee Assistance Program.
- Referral to a medical doctor.
- Suspension and/or termination of any business relationship.
- Criminal prosecution of person or persons involved. Banning offenders from city buildings and facilities.

New employees will be given a copy of this manual during new hire orientation and will be required to sign a statement acknowledging receipt and compliance

Questions concerning any aspect of this policy should be directed to the City Clerk or the Mayor.

6.7 CITY VEHICLE AND DRIVING POLICY

6.7.1 GENERAL POLICY STATEMENT

The primary purpose of city vehicles is to provide effective and efficient services to the citizens of Taylor. The City vehicle and driving policy is established to promote this purpose and applies to both City and Utilities vehicles and drivers.

6.7.2 AUTHORIZED DRIVERS AND USE OF CITY VEHICLES

The use of any city vehicle is contingent on the City's financial ability to maintain the necessary equipment and may be revoked, restricted, or modified based on fiscal needs and requirements. The use of a city vehicle is a privilege and should not be considered an employment right or a mandatory fringe benefit.

The use of a city vehicle may be restricted, temporarily suspended, or revoked due to the employee's failure to comply with City or departmental policies, failure to properly maintain the assigned vehicle, or other legitimate business reasons.

Each department shall maintain a current list of all employees and others who are authorized to drive city vehicles. This list must include the employee's driver's license number and the expiration date. This information shall be subject to periodic review as to status and violations by the Department Head.

City vehicles may be operated only by employees who:

- Are at least 18 years old.
- Have a valid driver's license.
- Are authorized to drive a city vehicle in accordance with their position description, job duties or volunteer status.
- Are authorized to drive by the Department Head.
- Are insured under the City's vehicle insurance.

No employee shall purchase or transport any alcoholic beverage, illegal drug, or controlled substance in a city vehicle unless required to do so in the performance of their job duties.

The selection of specific vehicles for assignment will be at the discretion of the Department Head. Employees with assigned vehicles will not exchange vehicles without the approval of the Department Head.

City vehicles may be assigned to those employees who have "continuous on-call" status. Employees with "continuous on call status" include the following personnel: Mayor, the Police Chief, Utility Department Heads, Public Works Director, City Clerk, and other Department Managers designated by the Mayor and the Council. These assigned vehicles are considered an integral part of the position and responsibilities and should be used accordingly.

City vehicles will not be driven to other cities or locations outside the scope of the employee's normal job duties and work area without the express written approval of the Department Head.

Employees other than those on "continuous on-call" status may also be permitted to drive city vehicles home overnight if:

- There is a clear business necessity and easily recognizable benefit to the City or,
- The employee has been placed on a specific 24-hour on-call status for emergencies or after-hours duties or,
- The employee will be attending job-related out of town training conferences, meetings, and seminars, and
- The employee has approval from the Department Head.

City vehicles will not be loaned to employees who are experiencing problems with personal transportation to work.

City vehicles shall not be used for activities such as: personal vacations, hunting trips, fishing trips, personal business outside of the employee's daily work area, outside employment activities, or any other activities which could reasonably be expected to cast the employee or the City in an unfavorable light or damage the City's reputation, etc.

City vehicles will not be used to transport family members or citizens other than City employees except in the line and scope of duty and in connection with City business unless:

- Such persons are official guests of the City or,
- The employee has been assigned to 24-hour on-call status and,
- The employee has specific permission from the Department Head or the Mayor.

Note: Under no circumstances are employees allowed to transport family members or friends, except in an emergency.

6.7.3 DRIVER'S LICENSES

Prospective and current city employees whose duties include the operation of a city vehicle must possess a valid and current Alabama driver license or other appropriate driver's license to include a Commercial Driver's License for the class of vehicle driven.

Department Heads are responsible for insuring that a periodic license check is conducted for each department. Any employee who drives a city vehicle must furnish proof of a driver's license upon request.

Under no circumstances shall a City employee whose driver's license has expired or has been cancelled, suspended, or revoked be allowed to operate a city vehicle or motorized equipment.

Drivers whose regular driver's license or CDL is restricted, suspended, revoked, or cancelled must notify their supervisor and Personnel Department immediately upon receiving notice of restriction, suspension, revocation, cancellation, loss of privilege, or disqualification. Any employee whose job requires the operation of a city vehicle may be subject to transfer, demotion, or termination if his/her driver's license is restricted, cancelled, revoked, or suspended or if he/she otherwise becomes unqualified to operate a City vehicle.

An employee who loses his/her driver's license for up to 90 days may be accommodated at the City's discretion depending on specific circumstances, insurability status, Federal or State regulations, and job duties.

If a driver's license is suspended or revoked for any reason for more than 90 days for an employee whose job description requires a valid driver's license, the employee is subject to immediate termination.

If the loss of license is due to a conviction for driving under the influence (DUI) of alcohol or a controlled substance, the employee will be suspended and will be referred to the Employee Assistance Program for assessment and treatment. The employee may also be subject to termination depending on circumstances, insurability status, regulations, and job duties.

CDL drivers who have been convicted of violating any State or local law related to motor traffic control (other than a parking violation) while driving any type of vehicle, including a personal vehicle, are required to report this conviction to the City of Taylor immediately. Notification must be made by completing a Commercial Driver's License Violation form no later than the next business day following a conviction. This form must be submitted to the immediate supervisor and to Personnel Department. The City is required to provide DOT with official notice of a conviction within 30 days.

Failure to report the restriction, suspension, cancellation, or revocation of a driver's license or the driving of city vehicles or equipment without a license is grounds for immediate termination.

Records concerning the loss of a driver's license will be retained in the employee's personnel file in Personnel Department.

6.7.4 CITY VEHICLE INSURANCE

Motor vehicle records are obtained from the Department of Public Safety for all drivers prior to hire. Drivers must maintain a good driving record and maintain insurability status under the City's vehicle insurance. Driving records are periodically updated and audited by the City's insurance providers to satisfy requirements for insurability. An employee who becomes uninsurable under the City's vehicle insurance due to DUI's, excessive traffic citations, or other business reasons is subject to termination.

6.7.5 VEHICLE OPERATIONS AND DRIVER SAFETY

Every operator of a city vehicle is a representative of the City of Taylor, and is expected to conduct him or herself accordingly. All drivers will drive courteously and safely at all times and practice defensive driving techniques.

All drivers are subject to random drug and alcohol testing. Employees will not drive after having consumed alcohol or drugs including over-the-counter medications or prescription drugs that may impair their ability to operate a motor vehicle. Employees are required to self-identify to their supervisor if they are taking any type of medication that may impact judgment, alter alertness, or in any way affect their ability to drive. (See City of Taylor Drug and Alcohol Testing Program Policy and Procedures.)

All drivers must report any medical condition that might impact their ability to drive or to remain alert.

Drivers are required to comply with all traffic, parking, and speed regulations and related ordinances unless specifically exempted by Gas Pipeline Safety Response Regulations or departmental Standard-

Operating-Procedures for life-threatening emergencies. In general, all traffic laws should take precedence over expected customer response times in all but extreme emergency situations. The number one priority must be public and driver safety.

Drivers must report all traffic violations that occur during working hours or non-working hours while driving a city vehicle to their supervisor immediately. If a driver receives a traffic citation, the driver is responsible for the payment of any fine assessed.

If provided, seat belts must be worn at all times when driving or riding in a city vehicle.

Headlights must be used during rain, fog, or inclement weather conditions when driving or riding in a city vehicle.

Weapons or firearms are not permitted in any city vehicle except: 1) law enforcement or animal control enforcement vehicles, or 2) in emergency or unusual situations specifically approved by the Mayor.

Smoking or use of smokeless tobacco products is prohibited while operating all city vehicles or motorized equipment.

All distractions while operating a vehicle or motorized equipment must be minimized. Eating while operating a vehicle or piece of motorized equipment is prohibited. Likewise, the use of cell phones is not permitted while driving a city vehicle except for handling emergencies or critical city business. In these instances, the driver should pull off the road whenever feasible to answer a cell phone. Phone and radio conversations should be kept as brief as possible in order to avoid becoming distracted.

While operating a city vehicle, employees will be neatly and appropriately dressed and will maintain a professional image in any contact with the public.

Assigned vehicles will be parked at an employee's home in a location that provides the best visibility and security for the vehicle.

Any assigned driver on leave for more than one week shall leave the assigned vehicle in the department's use or park it at a city facility.

6.7.6 VEHICLE ACCIDENTS

Any city employee involved in an accident while operating a city vehicle or piece of motorized equipment shall notify his or her supervisor immediately. Any accident/incident involving a city vehicle must be reported whether or not the accident results in injuries to a person or damage to vehicles or property or whether or not the city vehicle was moving or stationary.

Supervisors are responsible for completing a City Vehicle Incident Report and also a City of Taylor Police Report depending on the nature of the incident. Both reports must be submitted promptly to the City Clerk and the Personnel Department.

Any driver involved in a vehicle accident will be required to take a drug and alcohol test immediately if circumstances indicate possible driver fault or error. All vehicle accidents must be reported immediately to the City Clerk, who will determine if a drug and alcohol screen is warranted in accordance with the City's Drug and Alcohol Testing Policy and Procedures.

6.7.7 VEHICLE MAINTENANCE

All city vehicles shall be identified as city vehicles with an appropriate decal or emblem on the side of the vehicle and a city license plate, with the exception of certain law enforcement vehicles and other vehicles designated by the Mayor.

City vehicles shall receive maintenance service at the designated City Garage or other location determined by the Department Manager. Drivers shall be responsible for insuring that each vehicle is in a safe operating condition before driving. Unsafe conditions must be reported immediately. The interior of a city vehicle shall be kept clean and orderly and the exterior shall be kept reasonably clean at all times.

No additional equipment shall be installed or attached to a city vehicle without the approval of the Department Head. Employees shall reimburse the City for the cost of any damages to a vehicle from personal installation of equipment.

6.8 TECHNOLOGY POLICY

This policy applies to all city employees and also to all employees contracted through employment agencies or other companies who perform work for the City of Taylor.

All software used by a City employee (or contract employee as defined above) in the performance of his/her job on City premises must be licensed to the City of Taylor. Employees may not load or use personal software that is not licensed to the City of Taylor on any computer owned by the City of Taylor unless it is used for business purposes and approved in writing by the Department Head and the Mayor.

E-Mail, the Internet, and computer software have been provided by the City of Taylor at its own expense. This technology is the City of Taylor's private property. This technology is another tool for use in job-related business transactions or business communication. Employees may not use these tools for their own personal, private, or non-business matters or to communicate personal, private, or non-business matters. E-mail is an extension of the City of Taylor. Employees should understand that E-mail messages can be traced to the sender even after they have been "deleted." The City of Taylor may be required to produce E-mail messages if litigation develops.

Employees may not use any communication tool on city premises to communicate anything that might be construed as harassment or offensive to others based on race, sex, sexual orientation, disability, age, religion, or national origin. Employees may not use the Internet or E-mail to solicit business for a non-work-related venture or for any personal causes, including political or religious issues. If an employee has questions about whether he/she may circulate certain information to all employees, the employee should ask his/her supervisor before taking action.

Employees cannot print, display, download or send any sexually explicit images, messages, cartoons, or jokes. If an employee receives such items from another person, he/she should immediately advise the sender that such messages are not permitted and not to send it again.

The City of Taylor will regularly review, audit, and may download E-mail messages and may monitor Internet access. In addition, the City of Taylor may periodically audit computers for licensed software. By using these media, each employee waives any privacy in these communications. If an employee is found to have created or sent abusive or inappropriate E-mail or participated in non-work related

activities with the Internet, such as chat rooms, or downloaded abusive or inappropriate matters from the Internet, the employee will be subject to discipline, up to and including discharge.

Employees should understand that there is no implied right of privacy with respect to the City of Taylor software, E-mail, or Internet access, or data stored on any computer located on City premises. Simply because an employee has a password does not mean that the employee has any right of privacy in E-mail, Internet access, or software. Employees may not use unauthorized passwords, and all passwords must be shared with management.

If an employee has questions regarding whether or not an activity is appropriate, he/she should contact Personnel Department.

6.9 MEDIA COMMUNICATIONS POLICY

6.9.1 PRESS RELEASES

All press releases whether for newspaper, TV, radio, or any medium must have prior approval by the Mayor or his designee before submission for publication.

6.9.2 MEDIA REQUESTS FOR INFORMATION

All media requests for information concerning City projects, business, and activities shall be referred to the appropriate the Mayor, or the Mayor's designee. Department Heads shall consult with the Mayor before releasing information.

6.9.3 GENERAL NOTICES

Publication of ordinances and resolutions, service related notices, meeting notices, and requests for bid proposals will be the responsibility of Department Heads in coordination with the City Clerk as appropriate. All employment advertising will be the responsibility of the Personnel Department. All other types of notices not listed above require pre-approval by the appropriate Department Head before submission for publication.

6.10 PERSONAL POSSESSIONS

The City furnishes desks, closets and/or lockers for employees to use for coats, purses, and other personal possessions. The City does not assume responsibility for any theft or damage to the personal belongings of employees. Employees have no expectation that City offices, desks, closets, lockers or vehicles are private. The City reserves the right to search desks, lockers and personal belongings brought onto City property, if the City has reasonable cause to believe the employee is in possession of a prohibited weapon, controlled substance, alcohol or misappropriated City property or funds.

6.11 REFERENCE CHECKS

All inquiries regarding a current or former City employee shall be referred to the Human Resource Department. Should an employee receive a written request for a reference, he/she should refer the request to the Personnel Department. Under no circumstances should any City employee release any information about any current or former City employee over the telephone. All telephone inquiries regarding any current or former employee of the City of Taylor shall be referred to Personnel Department. All inquiries from the State Employment Office concerning an employee separated from employment shall be directed to Personnel Department.

In response to an outside request for information regarding a current or former City employee, the Personnel Department will furnish or verify only an employee's name, dates of employment, job title and department. No other data or information regarding any current or former City employee will be furnished unless the employee authorizes the City to furnish such information in writing and releases the City from any liability related to furnishing this information or the City is required by law to furnish such information.

6.12 TAPE RECORDING POLICY

No employee shall record any conversations with employees or citizens using a tape recorder or other recording device unless: 1) prior approval is received from the Department Head, Mayor, and the City Clerk and 2) all parties to the conversation have given prior consent. The obvious exception to this policy would be conversations recorded as part of standard Police Department investigations.

6.13 SMOKE FREE WORKPLACE AND SMOKELESS TOBACCO POLICY

The City of Taylor is a smoke-free workplace. Smoking and the use of smokeless tobacco (i.e. chewing tobacco, snuff, etc.) are prohibited in all buildings and vehicles belonging to the City of Taylor. Smoke-free workplace signs are posted at all building entrances.

Smoking and the use of smokeless tobacco are not permitted outside the front entrance of any city building. Smoking is limited to a reasonable distance (e.g. 20 feet or more) outside of a City building to insure that environmental tobacco smoke does not enter the building through entrances, windows, ventilation systems or any other means. Likewise, the use of smokeless tobacco is permitted at a reasonable distance outside of a city building. Permissible outside smoking areas and tobacco use areas are established by each Department Manager.

Smokeless tobacco residue shall be disposed of properly in trash receptacles containing trash liners. Smokeless tobacco residue shall not be left in cans, bottles, paper cups, etc. in the workplace or in city vehicles. There shall be no spitting of tobacco juice on walls, floors, furniture, parts bins, vehicles, equipment, or on any other property belonging to the City of Taylor.

All employees are expected to comply with all aspects of this policy. Violations will be subject to disciplinary action up to and including discharge.

6.14 POLITICAL ACTIVITY

City employees are encouraged to participate fully and actively in the political process, except as restricted by law. In general, employees are restricted only in their political activities in campaigns for City office and their on-the-job political activities for any candidate for any office. The City Clerk will advise employees who have questions concerning their rights and the applicable restrictions. No employee shall be penalized in any way for participating or not participating in permitted activities.

6.15 DRESS AND GROOMING POLICY

The policy of the City of Taylor is to present a conservative, professional, and business image to the citizens we serve. Because every employee may at one time or another come in contact with our citizens, it is important for all employees to be dressed appropriately at work every day, and/or when driving city vehicles.

If provided, city uniforms must be worn at all times during working hours without exception. Uniforms may not be worn while performing side jobs or moonlighting. For jobs not requiring a city uniform, a professional, conservative business image should be adhered to. All clothing, including city uniforms, must be in good condition and not torn, ragged, or extremely faded. Shirttails shall be tucked in and shirts buttoned appropriately.

Blue jeans are permitted for positions such as grounds work, maintenance, recreation, utility construction, or for other positions requiring significant work outdoors or in dirty areas. Blue jeans in office areas should be clean, pressed, no holes or worn through areas.

Printed t-shirts are generally not allowed. However, City of Taylor logos and/or logos for City- sponsored charity events are permissible.

Tennis shoes are unacceptable for most positions, but may be permitted for certain outside jobs such as recreation with the department head's approval. Flip-flops, platform shoes, and any other type of shoe that could create a safety risk are unacceptable.

Shorts are unacceptable for most positions, but are permitted for outside jobs such as recreation, landscaping and meter reading with the department head's approval. Additional unacceptable attire includes: very short skirts and dresses; distracting, revealing, or tight clothing; jogging suits; sweat suits; stretch pants; muscle shirts; and tube, halter, or tank tops.

In addition to proper dress, employees are expected to present a clean, neat, and business-like appearance that includes practicing good personal hygiene and wearing clean clothes daily. Hairstyles and jewelry should not be extreme or eccentric and should contribute to a conservative, professional, and business image. Acceptable hair length will be job specific based on safety requirements and job responsibilities and will be established by individual Department Heads. Male employees are expected to have neatly combed hair and to be clean-shaven or to have neatly trimmed mustaches and/or beards. Female employees are expected to have neatly combed hair and reasonable makeup.

If warranted for safety reasons or business necessity, individual city departments may implement a more stringent dress code policy than the one contained herein. However, such policies must be non-discriminatory and distributed in writing to all department personnel.

Supervisors and managers are responsible for enforcing the dress and grooming policy for their department and work group. This includes counseling employees who are inappropriately dressed or poorly groomed. If clothing or appearance is inappropriate, unduly distracting, or unsafe the employee may be sent home without pay to change clothes. A reasonable accommodation will be made for an employee's religious beliefs consistent with business necessity to present a conservative, professional and business appearance to the public.

Dress or grooming issues that cannot be resolved at the department level may be referred to Personnel Department for assistance. Repeated violations of the City's dress and grooming policy will result in disciplinary action up to and including discharge.

6.16 POLICE DEPARTMENT RULES AND PROCEDURES

The Police Department has established a set of Departmental Rules, Regulations, and Operating Procedures consistent with the policies contained herein. The Police Department Personnel Policies and Procedures Manual, although a separate document, shall be considered an incorporated part of the City of Taylor Personnel Policies and Procedures Manual.

6.17 TRAINING

The City will offer all non-exempted and exempted employees training opportunities to the extent feasible, possible, and compatible with city budgets and resources. The purpose of training shall be to enhance job-related technical knowledge and skills, to prepare employees to assume greater responsibility, and to increase job satisfaction. Questions regarding training opportunities should be directed to the Supervisor or Department Head.

6.18 COLLEGE ATTENDANCE DURING WORKING HOURS

Attending college classes during work hours requires advance approval from the Department and the Mayor. Employees who wish to attend college classes or technical courses during regular work hours must submit a written request and a detailed class schedule to their Department Head three weeks prior to the start of class. The written request requires the Department Head's and the Mayor's signatures prior to the start of the class or classes. The written request form shall be obtained from Personnel Department.

All time spent in college classes or technical programs during regular work hours must be counted as annual leave. The only types of college classes or technical courses that may be considered for attendance during regularly scheduled work hours are as follows:

Classes that relate directly to the employee's current position with the City and will enhance the employee's job performance.

Classes that is necessary for the completion of a college degree or a technical training program that relates directly to the employee's present position with the City.

The city reserves the right to deny any request if the employee's absence creates an undue hardship on the department or the City. Whether the request is approved or denied, the request form shall be submitted to Personnel Department for inclusion in the employee's personnel file.

6.19 DUE PROCESS PROCEDURES

The rights of employees shall be protected in all personnel matters and proceedings. These rights shall include:

- Right to privacy
- Right to face any accuser
- Right to respond to accusations
- Right to due process

6.20 DISCIPLINARY ACTION POLICY

The primary purpose of discipline is:

- To correct performance and behavior
- To insure fairness and consistency throughout the organization
- To provide accurate and complete written documentation of poor performance, policy violations and corrective actions.

Supervisory personnel will strive for high standards of performance in their various departments and will fairly and impartially implement disciplinary measures when necessary. Due process procedures shall be

strictly adhered to in all disciplinary procedures. Every effort shall be made to determine why an employee failed to observe proper conduct or violated policy before discipline is issued.

Punishment shall fit the offense. Penalties for repetitive offenses or performance problems should be of increasing severity, leading finally to dismissal. All discipline shall be prompt and decisive. Employees who do not perform satisfactorily, or who cannot meet established standards, or who violate city p o l i c i e s will be disciplined in a just and expedient manner. Such discipline shall be implemented in a manner that respects both the rights of the individual and the obligation of the City to serve its citizens.

The immediate supervisor and/or the Department Head shall initiate disciplinary actions. If the disciplinary action is severe, final approval shall be vested in department heads and the Mayor after a due process hearing. . Disciplinary hearings are generally not open to the public and are designed to limit any stigmatization of an employee that could hamper future job opportunities.

Employee and Supervisor Responsibilities

(A) It is the duty of each employee to correct any deficiency in performance, conduct, or attitude on their own initiative or when called to such employee's attention, and to make every effort to avoid conflict with the personnel rules and regulations.

(B) It is the responsibility of every supervisor to discuss improper or inadequate performance with the employee in order to correct deficiencies and to avoid the need to exercise disciplinary action. However, failure of a supervisor to carry out this responsibility shall not preclude the discipline of an employee. Where appropriate, an employee should be disciplined in an increasingly progressive manner, the step of progression normally being:

(1) Oral Reprimand
(2) Written Reprimand
(3) Imposed Probation
(4) Suspension
(5) Termination

(C) In certain circumstances, demotion may be considered in lieu of termination. The factors that may be considered by a Department Head in determining the appropriate level of discipline may include, but are not limited to, the circumstances giving rise to the disciplinary action, the employee's work history, length of employment, current job performance, and the existence of past official disciplinary actions. A Department Head may, when making or reviewing a disciplinary decision, review and consider the past discipline of an employee, whether or not that employee was working in another division or department of the City at the time of being disciplined. While progressive discipline should be used as a constructive measure for the correction of the conduct of an employee, where the nature and severity of the offense dictate otherwise, any of the progressive steps noted above may be omitted.

(D) When infractions do occur, it shall be the policy of the City of Taylor that its disciplinary procedure be specific and structured so that the type of action involved, and not the individual, is the controlling factor in determining the level of discipline required.

(E) Where determined by the Mayor to be in the best interest of the City, the Mayor may appoint, in writing, a Department Head, other than the employee's Department Head, to investigate alleged misconduct on the part of the employee; and, if determined to be warranted, to pursue disciplinary charges against the employee in accordance with the policies and procedures contained in this section.

In such circumstances, if it is determined that there is cause for discipline after an informal hearing, where appropriate, or as a result of a Finding of Facts by a Hearing Officer, then the Mayor or the appointed Department Head, subject to the approval of the Mayor, may impose discipline on the employee.

This policy and the procedures set forth herein shall be applicable only to regular, full-time employees and shall not be afforded to probationary employees, temporary employees, part-time employees, or special status employees.

For all disciplinary actions, the department head shall insure that the employee is provided written notice of the discipline signed by the department head. The disciplined employee shall be furnished a copy of the notice, which shall include, but is not limited to the following.

- The reason(s) for the disciplinary action
- Policies violated or performance problems
- The type of disciplinary action to be taken
- The date, time, and place of such action.

For unsatisfactory performance of duties, policy violations, or other just causes an employee, regardless of employment status, may be subject to any of the following disciplinary actions by his/her immediate supervisor and/or department head:

Oral Reprimand – A Department Head, or other designated official, may orally reprimand an employee when the employee fails to maintain desirable standards or violates the policies, rules, or regulations of the department, or the City of Taylor. Whenever grounds for disciplinary action exist and the Department Head, or other designated official, determines that more severe action is not necessary, the Department Head, or other designated official, may orally communicate to the employee the Department Head's, or other designated official's, observation of the deficiency or misconduct and the required corrective action. Written notice of the oral reprimand should be maintained in the departmental file of the employee; however, it is not necessary that such notice be forwarded to the Human Resources Department.

Written Reprimand – A Department Head, or other designated official, may issue an official written reprimand to an employee, if the seriousness of the offense calls for action greater in severity than an oral reprimand, or if previous counseling discussions or oral reprimands have not produced the desired result. In making a determination as to the type of disciplinary action warranted, the Department Head, or other designated official, will proceed as follows:

(1) Investigation and discussion with employee - Before any action is taken against an employee, the Department Head, or other designated official, will make such inquiry or investigation of the facts in the case as he/she considers necessary. The employee will be advised of the reasons for considering disciplinary action and allowed the opportunity to respond.

(2) Decision - After full consideration of the facts, the Department Head will take one of the following actions:

(a) If the facts of the case do not support the allegation, the employee shall be notified orally of such decision and advised that the matter is considered closed;

(b) If the facts of the case support the allegation, but the Department Head, or other designated official, believes a written reprimand is not necessary to correct the situation, the Department

Head, or other designated official, shall conclude the matter by a discussion with the employee. During the discussion, the employee shall be reprimanded orally and warned that in any future case stronger action may be required;

(c) If the facts of the case support the allegation, and the Department Head, or other designated official, believes a written reprimand is sufficient to correct the situation, the employee shall be notified of the decision by a written reprimand; or,

(d) If the facts of the case support the allegation, but the Department Head, or other designated official, believes a written reprimand is not sufficient to correct the situation, stronger disciplinary action shall be commenced by the Department Head and/or Mayor and /or City Council.

(3) Notice of Written Reprimand - The written reprimand should be in writing, dated, and delivered to the employee. The notice of written reprimand should contain the following information:

(a) Nature of the action;

(b) Specific reason(s) for the written reprimand;

(c) References to any discussion(s) held with the employee, including the date, time, and place;

(d)) The employee's explanation as given during the discussion(s);

(e) Conclusions;

(f)) Warning that future infractions could result in more severe disciplinary action; and,

(g)) Where appropriate, recommendations for corrective action.

(h) Employee's signature that he/she has been given notice.

A copy of the written reprimand should be placed in the employee's departmental file with a copy to the City Clerk for maintenance in the employee's personnel file. In addition, within three (3) days of the receipt of a written reprimand, an employee may submit to his/her Department Head a written response to the written reprimand. Such response shall be placed in the departmental f i l e with a copy to the City Clerk for maintenance in the employee's personnel file.

(4) Rights, privileges, benefits as result of a Written Reprimand - A written reprimand shall not affect the rights, privileges, or benefits of an employee to which he/she may have been entitled prior to such discipline; however, a Department Head is not precluded from considering the disciplinary action during future promotional processes. Further, the restoration of rights as provided for herein shall not mean that a Department Head is precluded from considering the existence of the reprimand in future disciplinary actions against the employee.

Imposed Probation– a Department Head may place an employee on imposed probation in lieu of or in conjunction with another form of disciplinary action, if the seriousness of the offense calls for action greater in severity than an oral or a written reprimand, or if previous counseling discussions or oral or written reprimands have not produced the desired result. Imposed probation may be used as discipline where the employee demonstrates substandard performance, poor attendance, poor compliance with City of Taylor and/or departmental rules and regulations, or in other instances of misconduct as

determined to be appropriate by the Department Head. An employee may be placed on imposed probation, for cause, for no more than six months, after notice and hearing before the Department Head, or other designated officials.

(1) Notice of Hearing - An employee shall be given advance written notice of a departmental hearing, which shall include the date of the hearing, the grounds for the proposed disciplinary action, and a statement that the employee shall be allowed, during the hearing, to present an oral or written statement in his/her defense. (The employee shall be given at least twenty-four (24) hours advance written notice of the hearing.) A copy of the notice shall be filed with the Personnel Department for placement in the employee's personnel file.

(2) Hearing - The hearing shall be conducted informally before the Department Head, and any supervisory personnel deemed necessary by the Department Head, at the time and place designated in the notice. Any attending officials may, at their sole discretion, question the employee. At the hearing, the employee may submit a written response or may respond orally to the allegations of misconduct. If the employee presents a written response, a copy of such shall be filed in the Personnel Department for placement in the employee's personnel file. Should the employee elect to waive the right to a hearing, such waiver shall be in writing and signed by the employee. Waiver of the right to a hearing, or the failure of the employee to waive his/her right to a hearing, shall not prevent the Department Head from proceeding with appropriate disciplinary action based on the information before him or her.

(3) Decision - After full consideration of the facts, the Department Head will take one of the following actions:

(a) If the facts of the case do not support the allegation, the employee shall be notified orally of such decision and advised that the matter is considered closed;

(b) If the facts of the case support the allegation, but the Department Head, or other designated official, believes imposed probation is not necessary to correct the situation, the Department Head, or other designated official, shall conclude the matter by a discussion with the employee. During the discussion, the employee shall be reprimanded orally or issued a written reprimand, and warned that in any future case stronger action may be required;

(c) If the facts of the case support the allegation, and the Department Head, or other designated official, believes imposed probation is sufficient to correct the situation, the employee shall be notified of the decision; or,

(d) If the facts of the case support the allegation, but the Department Head, or other designated official, believes imposed probation is not sufficient to correct the situation, stronger disciplinary action shall be commenced by the Department Head.

(4) Notice of Imposed Probation
The notice of imposed probation should be in writing, dated, and delivered to the employee. The notice should contain:

(a) Nature of the action;

(b) Specific reason(s) for the imposed probation;

(c) References to any discussion(s) held with the employee, including the date, time, and place;

(d) The employee's explanation as given during the discussion(s);

(e) Conclusions;

(f) Warning that future infractions could result in more severe disciplinary action; and,

(g) Where appropriate, recommendations for corrective action.

A copy of the imposed probation notice shall be filed with the Personnel Department and placed in the employee's personnel file.

(5) Rights, privileges, benefits as result of Imposed Probation
During the term of the imposed probationary period, all paid leave will continue to accrue as provided in Section 5 of this policy. However, the Department Head may deny an employee who is on imposed probation the use of his/her accrued annual, compensatory, or deferred holiday leave. In addition, during the term of an imposed probationary period, the employee is not entitled to a step progression in salary. At the end of a satisfactory completion of the imposed probationary term, which includes the receipt of a "satisfactory" or better performance evaluation, the employee shall be considered in good standing with the department and as an employee for the City of Taylor, and shall be restored to all rights, privileges, and benefits he/she had prior to said period of imposed probation; provided, however, the restoration of all rights, privileges, and benefits shall not preclude the consideration of the disciplinary action during future promotional processes. Further, the restoration of rights as provided for herein shall not mean that a Department Head is precluded from considering the existence of the imposed probation in future disciplinary actions against the employee. Failure of an employee to satisfactorily complete an imposed probationary term may result in more severe disciplinary action

Suspension for Ten (10) Days or less– An employee may be suspended from duty and pay for a period of time not to exceed ten (10) workdays (or the equivalent thereof) for cause, after notice and a departmental hearing before the Department Head, who may request that other supervisory officials participate.

(1) Notice of hearing - An employee shall be given advance written notice of a departmental hearing, which shall include the date of the hearing, the grounds for the proposed disciplinary action, and a statement that the employee shall be allowed, during the hearing, to present an oral or written statement in his/her defense. (The employee shall be given at least twenty-four (24) hours advance written notice of the hearing.) A copy of the notice shall be filed with the Personnel Department for placement in the employee's personnel file.

(2) Hearing - The hearing shall be conducted informally before the Department Head, and any supervisory personnel deemed necessary by the Department Head, at the time and place designated in the notice. Any attending officials may, at their sole discretion, question the employee. At the hearing, the employee may submit a written response or may respond orally to the allegations of misconduct. If the employee presents a written response, a copy of such shall be filed in the Personnel Department for placement in the employee's personnel file. Should the employee elect to waive the right to a hearing, such waiver shall be in writing and signed by the employee. Waiver of the right to a hearing, or the failure of the employee to waive his/her right to a hearing, shall not prevent the Department Head from proceeding with appropriate disciplinary action based on the information before him or her.

(3) Decision - After full consideration of the facts, the Department Head will take one of the following actions:

(a) If the facts of the case do not support the allegation, the employee shall be notified orally of such decision and advised that the matter is considered closed;

(b) If the facts of the case support the allegation, but the Department Head, or other designated official, believes a suspension is not necessary to correct the situation, the Department Head, or other designated official, shall discuss the matter with the employee. During the discussion, the employee shall be reprimanded orally, issued a written reprimand, or placed on imposed probation; and, the employee shall be warned that in any future case, stronger action may be required;

(c) If the facts of the case support the allegation, and the Department Head, or other designated official believes a suspension of ten (10) work days or less is sufficient to correct the situation, the employee shall be notified of the decision. In addition, such an employee may also be notified that he/she is placed on imposed probation; or,

(d) If the facts of the case support the allegation, but the Department Head, or other designated official, believes a suspension of ten (10) work days or less is not sufficient to correct the situation, stronger disciplinary action shall be commenced by the Department Head.

(4) Notice of Suspension - The notice of suspension should be in writing, dated, and delivered to the employee.

The notice should contain:

(a) Nature of the action;

(b) Specific reason(s) for the suspension;

(c) References to any discussions held with the employee, including the date, time, and place;

(d) The employee's explanation as given during the discussion(s);

(e) Conclusions;

(f) Warning that future infractions could result in more severe disciplinary action; and,

(g) Where appropriate, recommendations for corrective action. The effective date of the suspension shall not be less than seven (7) calendar days after the delivery of the decision by the Department Head. A copy of the suspension notice shall be filed with the Personnel Department and placed in the employee's personnel file.

(5) Rights, privileges, benefits as result of Suspension

At the time the suspended employee returns to work, said employee shall be considered in good standing with the department and as an employee for the City of Taylor, and shall be restored to all rights, privileges, and benefits he/she had prior to said suspension, subject to the modifications of employment based on imposed probation, if applicable. Provided, however, the restoration of all rights, privileges, and benefits shall not preclude the consideration of the disciplinary action during future promotional processes. Further, the restoration of rights as provided for herein shall not mean that a Department Head is precluded from considering the existence of the suspension in future disciplinary actions against the employee.

Immediate Suspension–Immediate suspension without pay may be ordered by the Department Head for an employee who occupies a position of high public trust and high visibility, such as a law enforcement officer, and who has been indicted for a felony, a crime involving moral turpitude, or a misdemeanor which reflects unfavorably upon the employee's character or his/her effectiveness in the

job. The Department Head shall schedule a departmental hearing with the employee within ten (10) days from the date of the immediate suspension.

(1) Notice of Hearing - An employee shall be given advance written notice of a departmental hearing before the Department Head, and other supervisory officials who the Department Head may request to participate, which shall include the date of the hearing, the grounds for the proposed disciplinary action, and a statement that the employee shall be allowed, during the hearing, to present an oral or written statement in his/her defense. (The employee shall be given at least twenty-four (24) hours advance written notice of the hearing.) A copy of the notice shall be filed with the Personnel Department /City Clerk for placement in the employee's personnel file.

(2) Hearing - The hearing shall be conducted informally before the Department Head, and the Mayor, at the time and place designated in the notice. Any attending officials may, at their sole discretion, question the employee. At the hearing, the employee may submit a written response or may respond orally to the allegations of misconduct. If the employee presents a written response, a copy of such shall be filed in the Personnel Department for placement in the employee's personnel file. Should the employee elect to waive the right to a hearing, such waiver shall be in writing and signed by the employee. Waiver of the right to a hearing, or the failure of the employee to waive his/her right to a hearing, shall not prevent the Department Head from proceeding with appropriate disciplinary action based on the information before him or her.

(3) Decision - Within ten (10) working days from the conclusion of the departmental hearing, the Department Head may:

(a) Deliver in writing to the employee a decision that the suspension be overturned and the employee be reinstated with full back pay; in which case the employee may be given an oral reprimand, a written reprimand, or placed on imposed probation;

(b) Deliver in writing to the employee a notice, with a copy to the Human Resources Department that the suspension shall be upheld for a period not to exceed ten (10) working days (or the equivalence thereof) and the reasons therefore; in which case the employee shall receive back pay for the remainder of the time served without pay and the employee may file a grievance in accordance with Section 6.23 for suspensions of ten (10) working days or less. Such employee may also be placed on imposed probation;

(c) File a Request for Formal Disciplinary Hearing in accordance with Section 6.23(F) herein. Such employee shall remain on suspension without pay; or, (d) request a twenty (20) working days investigatory suspension without pay; at the conclusion of which the Department Head shall proceed in accordance with (a), (b), or (c) above. In the event the final disciplinary outcome, whether by a decision of the Department Head or reviewing body, is less than the suspended time served without pay, the employee will receive back pay for the period of time that does not constitute a part of the disciplinary action. A copy of any disciplinary action taken, except in the case of an oral reprimand, should be forwarded to the Personnel Department for inclusion in the employee's personnel file.

(4) Rights, privileges, benefits as result of action less than Termination
At the time the disciplined employee returns to work, said employee shall be considered in good standing with the department and as an employee for the City of Taylor, and shall be restored to all rights, privileges, and benefits he/she had prior to said disciplinary action, subject to the modifications of employment based on imposed probation, if applicable. Provided, however, the restoration of all rights, privileges, and benefits shall not preclude the consideration of the disciplinary action during future promotional processes. Further, the restoration of rights as provided for herein shall not mean

that a Department Head is precluded from considering the existence of the disciplinary result in future disciplinary actions against the employee.

Suspension for More than Ten (10) Working Days Dismissal from service - A c t i o n s under this provision require department head action with Mayor's concurrence and signature after a due process hearing before the Mayor. Grounds for dismissal are listed under the section entitled "Rules of Conduct. "Dismissal" is defined as an action, taken by a department head, to end a person's employment with the city because he/she has been found not suited for employment or because such action has been found to be necessary to correct or punish breaches of good order and discipline.

An employee, for cause, may be suspended without pay for more than ten (10) working days, demoted, or dismissed, after notice and a hearing. The Department Head shall notify the affected employee in writing of the charges against him/her. A copy of the notice shall be furnished to the Personnel Department. The City Clerk shall cause a hearing date with the department head and Mayor to be set within thirty (30) days. The affected employee shall be notified in writing of the date, time, and place of the hearing, the charges against him/her, that he/she has the right to representation, and the right to present evidence before the Mayor. The employee shall be given not less than ten (10) working days notice of the initial hearing date, time, and place, unless the employee knowingly and willingly waives such notice, in writing. Such waiver is discouraged by this policy and should be permitted only where the notice requirement would work a hardship on the employee.

At the hearing, all testimony shall be given under oath. The Mayor shall carefully consider all testimony, evidence, and exhibits offered in support or denial of charges made. On conclusion of the hearing the Mayor shall issue a decree on any disciplinary action imposed. Said decree shall state the reason(s) therefore, shall be in writing and delivered to the affected employee, with a copy delivered to the Personnel Department for placement in the employee's personnel file.

After the delivery of the decision by the Mayor, such disciplinary action shall be directly reviewed by the City Council, as soon as is practicable, upon application by the affected employee. The application shall be made in writing to the City Council within seven (7) working days of the delivery of the decision to the affected employee and shall state the reason(s) the employee believes the disciplinary action taken is inappropriate or inapplicable under the City's Personnel Policy and the specific remedy sought. Failure o f the employee to state said reason(s) shall be a cause for rejection of the appeal. A review by the City Council will be deemed waived if the request has not been submitted in writing within the stated seven (7) working days period.

6.21 RULES OF CONDUCT

In order to promote the common good and the welfare of the City of Taylor and its employees, the City has established rules of conduct generally accepted in municipal governments, business, and industry. The rules of conduct listed below are not intended to be all-inclusive or comprehensive. Disciplinary actions may be also issued for other types of infractions and will be determined by the circumstances of each situation.

The following are examples of causes for disciplinary action, but are in no way restrictive as to the reasons which may form a valid basis for disciplinary action:

(1) Indictment for, conviction of, or the commission of, an act which would constitute, (A) a felony or (B) a crime involving moral turpitude; conviction of, or the commission of an act which would constitute, a misdemeanor which reflects unfavorably upon the employee's character or his/her effectiveness in the job.

(2) Conduct unbecoming an employee, while on or off duty, which tends to bring discredit upon the City and its employees; which adversely affects the morale or efficiency of, or public respect for, the employee's assigned department; or which otherwise threatens order, safety, or health

(3) Fighting or committing an assault or any other violation of the City's Workplace Violence Policy.

(4) Threatening, purposely intimidating, coercing, harassing, or interfering with fellow employees, supervisors, or other management personnel in the performance of their job duties.

(5) Disorderly, indecent, immoral, or illegal conduct or conduct unbecoming of a public employee.

(6) Violations of the City of Taylor Workplace Harassment Policy.

(7) Using abusive or threatening language or conduct toward the public or co-workers or the abusive public criticism of a superior or other City official(s).

(8) Possession, consumption, or being under the influence of alcohol or illegal drugs while on duty and/or on the City of Taylor premises as well as any other violations of the City of Taylor Substance Abuse Policy. Any city employee off duty but on an on-call status must also comply with this regulation.

(9) Insubordinate conduct, refusal or failure to follow lawful orders, direction, or instructions given by a supervisor; failure to follow instructions in a timely manner; and/or failure to perform assigned work activities.

(10) Incompetence, malfeasance, or misfeasance in the performance of duties.

(11) Falsification, misrepresentation, or suppression of any information including, but not limited to, employment application, employment reports, records, or time cards required by or supplied to any governmental agency including, but not limited to, the City of Taylor.

(12) Making or spreading slanderous or malicious statements concerning any employee, city officials, the City of Taylor in general, or any of its departments.

(13) Gambling on City premises and/or during working hours. For the purpose of this policy, selling chances on prizes for charitable causes and school programs will not be considered gambling; however, this activity should have formal authorization.

(14) Unauthorized absences or abuse of leave privileges including but not limited to excessive tardiness and/or absences; job abandonment or absence without notification for three or more consecutive workdays; unauthorized absence from the job during working hours or leaving the department or work location without authorization; failing to report an absence within two hours of starting time; failing to return from a leave of absence as scheduled; fraudulent use of sick leave, Family Medical Leave, worker's comp leave, or disability leave benefits.

(15) Violation of any duly adopted City of Taylor personnel policy or ordinance and/or State/Federal law or regulation governing public employment.

(16) Theft of city property.

(17) Horseplay, littering, loafing, roaming, loitering, or sleeping on the job.

(18) Violating safety policies and regulations including but not limited to: failure to wear personal protective equipment as required; working in a manner that endangers one's own safety or the safety of co-workers; failure to follow established work procedures; creating or contributing to unsanitary conditions; failing to report any occupational injury or accident promptly, failure to use seatbelts.

(19) Disclosure of confidential City information or personal employee information without proper authorization.

(20) Solicitation of any type by employees on City property is expressly forbidden unless specifically authorized by the Department Head or Mayor.

(21) Violation of the City of Taylor Vehicle and Driving Policy.

(22) Abuse, misuse, destruction, negligence, or unauthorized use of City property, tools, equipment, or the property of other employees.

(23) Violation of the City's Conflict of Interest Policy or engaging in activities that gives the appearance of impropriety.

(24) Failure to observe parking and traffic regulations on City of Taylor property.

(25) Employee subsequently becomes physically or mentally unfit for the performance of his/her duties.

(26) Willful disregard of orders.

(27) Failure to properly report accidents or personal injuries.

(28) Any action which is not in the best interest of the city, including failure to pay lawful debts, or affecting the employee's ability to perform his/her job.

(29) Every employee shall wear appropriate uniform if required, including required safety equipment while on duty.

(30) Failure to sign a drug and alcohol testing consent form when required.

(31) Use of personal electronic devices (cell phones, I-Pods, DVD players, games, etc.) during the operation of city equipment. Cell phone used should be limited and only used while vehicles are in a parked position except in emergencies. Excessive use of electronic devices during working hours is cause for termination.

(32) Failure to obtain or maintain any license or certificate required as a condition of employment.

(33)Violation of the City's Electronic/Social Medial Policy.

6.22 GRIEVANCE PROCEDURE

6.22.1 GENERAL PROVISIONS

All employees have the right to discuss any and all matters relating to their employment and/or their

personal welfare with their supervisors. They may communicate with their supervisors, either orally or in writing, and may be accompanied by representation of their choice. When disagreement over the solution of a problem cannot be resolved, all employees shall have access to successively higher levels of management. Supervisory personnel will make all reasonable effort to achieve rapid, satisfactory, and productive resolution of problems, complaints, and grievances and shall always assure every employee's right to due process.

A grievance is an employee's written statement that his/her supervisor is improperly or prejudicially applying or failing to apply the personnel rules, regulations, and/or procedures of the City. The grievance procedure permits every employee equal access to those individuals who make management decisions. In addition, the grievance procedure provides a standard process for speedy investigation and resolution of employee complaints. The grievance procedure shall not be used to resolve differences between employees of like rank.

No employee shall be penalized in any way for exercising his/her rights under the grievance procedures. A grievance may be withdrawn at any step without prejudice.

Employees shall have the right to be represented by a person, or persons, of their own choosing at any step in the grievance procedures.

Grievances crossing departmental lines or individual grievances against the City Council shall go directly to Step 2 of the grievance procedure.

Any employee demoted in rank, reduced in compensation, suspended without pay, or dismissed may file an appeal with the Mayor within fourteen (14) working days after service of the order of demotion, reduction in compensation, suspension, or dismissal without filing a first and second step grievance. The format for the appeal hearing shall follow the same grievance appeal procedures outlined below.

6.22.2 FIRST-STEP GRIEVANCES

Within five (5) working days after the employee knows, or should have known, of the alleged violation or misapplication of a City of Taylor' personnel rule, regulation, policy, or procedure, the employee shall prepare a written grievance and discuss the grievance with his/her immediate supervisor. The supervisor shall provide the employee with a Step 1 written response to the grievance within five (5) working days of the initial meeting.

6.22.3 SECOND-STEP GRIEVANCES

Within five (5) working days from receipt of the supervisor's Step 1 written response or non-response to a grievance, the employee shall have the right to appeal the decision to the Supervisor's superior, which in most instances is the Mayor. The Department Head, City Clerk, or Mayor as appropriate shall furnish the employee a Step 2 written response within five (5) working days of this meeting.

6.22.4 THIRD STEP GRIEVANCES - APPEAL TO THE CITY COUNCIL

Within five (5) working days of receipt of the Step 2 written response or non-response, the employee shall have the right to elevate his/her grievance to the City Council. The employee will prepare a written appeal request addressed to the City Council and submit it to the City Clerk. The City Clerk insures that appeals are processed timely and consistently and serves as a resource and secretary to the City Council.

The employee's written grievance appeal request must contain the following information:

(A)) A request to appeal the grievance to the City Council.

(B)) A statement of the specific personnel rules, regulations, policies, or procedures that have been violated or misapplied, with the dates and descriptions of such violations or misapplication.

(C)) The specific remedy being sought.

(D) The supervisor's 1st step written response to the grievance.

(E) The Department Head or designated Manager's 2nd step written response to the grievance.

The City Clerk will submit the employee's written request for appeal and all related documentation to the City Council. The City Clerk will contact the Board to coordinate a date and time for the City Council to hear the employee's appeal. Once the date and time are set, the Director will notify all parties in writing, including the grievant, the supervisor, the Department Head and/or designated Manager, and the City Council. The written notification will include the hearing schedule and the format of the hearing.

Within 30 calendar days of receiving the request to appeal, the City Council shall conduct a hearing.

6.22.5 APPEAL HEARING FORMAT

The format for the appeal hearing allows both parties adequate time to present without interruption and also time for the City Council to ask relevant questions.

During the hearing, the employee will make the first presentation and discuss the grievance. The employee shall be allowed to appear before the City Council with representation of his/her choice if desired. Either the grievant or his/her representative or both may present the grievance. The supervisor and the Department Head will not be present for the grievant presentation. The Board may ask some additional questions. Once this part of the meeting is complete, the grievant and his/her representative will be dismissed from the meeting.

The Supervisor and/or Department Head will then make their presentation concerning the grievance. The grievant and his/her representative will not be present during the Supervisor's and/or the Department Head's presentation. The Board may ask additional questions. Once this part of the hearing is complete, the Supervisor and/or Department Head will be dismissed from the meeting.

The City Council will then meet privately to review and discuss the information that has been presented by all parties. If necessary, the City Council shall request and gather additional documents or request and interview additional witnesses. The Council prepares a written statement of fact and findings and submits their finds within (30) calendar days of the appeal hearing.

The decision of the City Council shall be final.

The Personnel Department Director shall return a copy of the Council's final decision to the grievant, the Supervisor, and the Department Head. In addition, a copy shall be maintained on file in Personnel Department.

6.23 RECORDS

6.23.1 ATTENDANCE RECORDS

The Personnel Department shall maintain an official attendance record for each non-exempted and exempted employee. This record shall reflect all absences from work including but not limited to sick leave, annual leave, personal leave, worker's comp leave, Family Medical Leave, other leaves of absence, compensatory leave, administrative leave, bereavement leave, jury duty leave, civil leave, and military leave.

Each department shall maintain a departmental attendance record for each of its employees. Department heads shall complete a weekly attendance report for each employee. The weekly attendance report shall be filed with Personnel Department no later than the first workday of the next week in accordance with procedures established by the City Clerk.

The official attendance record maintained by Personnel Department shall be balanced with each department's attendance records not less than once a year. An employee may request an appointment to review and inspect his/her official absence file in the presence of the City Clerk.

6.23.2 PERSONNEL RECORDS

Each employee's personnel file is maintained in Personnel Department and is considered the employee's official employment record with the City.

Each employee is required to notify Personnel Department of any changes in:

(A) Name and/or marital status
(B) Address, Email and telephone number
(C)) # of eligible dependents
(D) W-4 Deductions
(E) Person to contact in case of emergency
(F) Beneficiaries

An employee may request an appointment to review and inspect his/her official personnel file in Personnel Department.

6.23.3 PAYROLL RECORDS

A properly completed time card is required for all non-exempted, exempted, and temporary employees and must be submitted to payroll every week. The Department Head shall certify that all work hours submitted for payment including overtime hours are correct. To update or change tax deductions for payroll purposes, the employee may obtain a tax change form from Personnel Department at any time.

7.0 BENEFITS

7.1 DISCLAIMER

The City has established a variety of employee benefit programs designed to assist the employee and his/her eligible dependents with meeting the financial burdens that can result from illness and disability and to help with planning for retirement. This portion of this Policy and Procedure Personnel Policies and Procedures Manual highlights some features of our benefit programs and is not intended to provide all details of these benefits. Our group health, dental, and life insurance benefits and retirement related programs are described more fully in summary plan description booklets, which are provided to new employees. Complete descriptions of the City's group health insurance programs are also in the City of Taylor master insurance contracts with insurance carriers, which are maintained in Personnel Department. A complete description of the City's retirement plan is in the appropriate master plan documents provided by the Retirement Systems of Alabama.

The information contained herein does not change or otherwise interpret the terms of the official plan documents or master insurance contracts. An employee's rights under any benefit plan can be determined only by referring to the full text of the official summary plan documents or master contracts, which are available for examination from Personnel Department. To the extent that any of the information contained in this policy and procedure Personnel Policies and Procedures Manual is inconsistent with the official plan documents or master insurance contracts, the provisions of the official plan documents or master contracts will govern in all cases.

Nothing contained or described herein shall be construed to create a promise of employment or future benefits or a binding contract between the City and its employees, retirees, or their dependents for benefits or for any other purpose. All employees shall remain subject to discharge or discipline to the same extent as if these plans had not been put into effect.

The City of Taylor reserves the right, in its sole discretion, to amend, modify, or terminate, in whole o r in part, any or all of the provisions of the benefit plans described herein, including any health benefits that may be extended to retirees and their dependents. The City reserves the right, in its sole discretion, to increase or change employee or retiree premium contributions toward any benefits at any time. Further, the City reserves the exclusive right, power, and authority, in its sole discretion, to administer, apply and interpret the benefit plans described herein, and to decide all matters arising in connection with the operation or administration of such plans.

For more complete information regarding any of the City's benefit programs, please contact Personnel Department.

7.2 GENERAL PROVISIONS

The City will provide eligible employees with appropriate fringe benefits to the maximum extent possible within its financial capability. All non-exempted and exempted City employees shall be eligible for benefits provided by the City of Taylor. An elected official may be eligible for benefits if agreed to by the official and the City Council. Any eligible employee who refuses to participate in the City's insurance programs shall relinquish all claims against the City for any liability except for job-related injury or job related sickness or disability claims.

Unless subsequently modified by the City Council, the insurance program shall include medical insurance, dental insurance and long term disability. The City pays 85% of the employee's premium for

most of the city-sponsored plans. The employee pays employee's family premium. The employees may be required to pay a portion of their individual coverage at the discretion of the City in accordance with limits imposed by annual budget requirements. A limited number of supplemental insurance plans are also offered; however, supplemental plan premiums are entirely employee paid.

The effective date of all City-sponsored insurance plans for eligible new employees is the first of the month after a thirty day waiting period following an employee's hire date, except during the annual open enrollment period.

Questions concerning benefits, premiums, and eligibility should be directed to Personnel Department.

7.3 MEDICAL INSURANCE

The City of Taylor shall provide a medical insurance program for eligible employees as approved by the City Council. Upon being hired, eligible employees shall select one of the following options for medical insurance:

- No coverage.
- Coverage for the employee only.
- Coverage for the employee and his/her dependents.

The City's current medical insurance program is provide by the Local Government Health Insurance program (LGHIB). The monthly premium for the City's health insurance shall include a single rate and a family rate. Unless changed by Council action, the City will pay 85% of the health insurance for each eligible employee only. The percentage of the City's contribution may be modified or confirmed by the City Council each year prior to insurance contract renewals.

The City of Taylor shall offer to pay employees that opt to enroll in outside group medical insurance coverage (e.g. spouse insurance) a sum equal to One Half (1/2) of the individual employee's insurance premium the City pays (Currently $4944.00 annually ÷ 2 = $2472.00) to be paid out over 52 pay periods per year. Every six months the employee must provide the City proof of coverage from any outside group medical insurance.

To be eligible, the Employees MUST meet SEIB requirements for proof of other medical insurance coverage.

The City retains the right to confirm medical coverage at any time during the compensation period.

7.4 DENTAL INSURANCE

The City of Taylor dental plan is provided by the Local Government Health Insurance Program and is a part of the city's medical insurance coverage.

Additional vision, dental, cobra vision, cobra dental is available through the Local Government Health Insurance Program, Southland National Voluntary Insurance. The cost under the Southland National Voluntary Insurance would be at the expense of the employee with payroll deduction. To be eligible the employee must meet the SEIB requirements for proof of insurance.

.

7.5 RETIREMENT PLAN

Participation in the Employees Retirement System of Alabama (ERS) is mandatory for all full-time non-exempted and exempted City employees. All non-exempted and exempted employees, with the exception of Police Officers, are required to contribute a percentage of their monthly salary inclusive of overtime to the Retirement Plan.

The City of Taylor also makes monthly retirement contributions for each full-time non-exempted and exempted employee based on current salary and overtime. The percentage contributed by the City to the Retirement System on behalf of each employee is established by the Alabama legislature and is subject to being changed periodically.

A member has vested status (is eligible for deferred benefits) in the Employee Retirement System after accumulating 10 years of creditable service. Once enrolled, the member must continue participation until employment is terminated or the employee retires. An employee who separates from employment for any reason other than retirement may opt to leave their contributions in the plan. Member contributions are only refunded at the request of the member upon termination from employment and after the completion of the required application for refund. The application for refund may be obtained from Personnel Department upon separation from employment.

7.6 DEATH BENEFITS

If a non-exempted or exempted employee is killed performing his/her duty, the employee's designated beneficiary will be awarded a death benefit equivalent to three months of the deceased employee's base salary, exclusive of overtime.

7.7 WORKER'S COMPENSATION

The City of Taylor provides worker's compensation benefits in accordance with Alabama State worker's compensation laws for any injury resulting from a job-related accident. Eligibility and entitlement for benefits shall be determined in accordance with criteria specified in the Code of Alabama 1975, Title 25-5.

While on worker's compensation leave, an employee is ineligible for paid sick leave benefits, except for the first three lost workdays due to a job-related accident. If the employee loses a total of twenty-one (21) days or more from work as a result of the accident, the worker's compensation insurer may be required to pay the employee for the first three days missed. If this occurs, the employee is responsible for reimbursing the City for the three days of sick leave previously paid to the employee as paid sick leave. Once the City is reimbursed, the three days of sick leave will be returned to the employee's sick leave accruals.

While on worker's comp leave, an employee is ineligible for short-term disability benefits through the City's short-term disability plan.

7.8 UNEMPLOYMENT COMPENSATION

An employee who is separated from City employment may be eligible to receive unemployment compensation provided that:

- He or she has completed the required employment period to be eligible; and

- Unemployment is not caused by the employee's voluntary resignation.

The Director of the Alabama Department of Industrial Relations determines eligibility and authorizes unemployment compensation benefits.

8.0 SEPARATION FROM EMPLOYMENT

8.1 GENERAL PROVISIONS

All separations of non-exempted and exempted employees shall be designated as one of the following types: resignation, reduction in force, retirement, disability separation, death, or dismissal.

At the time of separation from employment, the employee shall return all City property in his/her possession prior to the payment of final compensation. The employee and the supervisor shall complete an out processing checklist and certify that all City property has been returned. Any amount due the City because of a shortage in the above properties will be withheld from the employee's final compensation.

8.2 RESIGNATION

Any unauthorized absence from work for a period of three (3) consecutive work days shall be considered by the department head and the City as a "voluntary quit."

An employee may resign by submitting a written notice of resignation to his supervisor that shall include the reasons for resigning and the effective date. Notification to the City should be given as far in advance as possible, but at least two (2) weeks prior to the effective date of the resignation. Failure to comply with this requirement may result in being denied future employment with the City.

Department heads shall forward all resignation notices promptly to the City Clerk. In addition, department heads shall notify Personnel Department of an employee who is considered a voluntary quit based on three consecutive unauthorized absences.

8.3 REDUCTION IN FORCE (RIF)

If a reduction in the work force becomes necessary, the Mayor, in coordination with the City Council, shall determine the nature and scope of the reduction in force (RIF) and which departments and job classes shall be affected.

Department heads shall be responsible for implementing the RIF within their departments in accordance with the established guidelines. The criteria to be used by department heads in making RIF decisions shall include length of service and the performance of the employee. The duties that were performed by the laid-off employee may be reassigned to other employees. When a non-exempted employee is scheduled to be laid-off, the employee shall be offered a demotion to a lower class if the employee is qualified for the lower class and a suitable vacancy exists.

Non-exempted and Exempted employees shall receive written notice of their lay-off at least fourteen (14) working days prior to the effective date of the lay-off. Other employees are not entitled to a specific period of notice, but will be given as much notice as possible. All RIF notices shall be prepared on a form provided by the City Clerk. The Department Head, the City Clerk, and the Mayor shall sign the RIF notice. The original copy of the notice signed by the employee shall be submitted to the City Clerk for the employee's personnel file.

Non-exempted employees who are laid-off will have recall rights for one (1) year from the effective date of the lay-off. The employee will sign a statement that he/she is aware of the requirement to submit in

writing to Personnel Department every (90) days a statement indicating his/her availability for employment and interest in future work with the City.

8.4 RETIREMENT

Whenever an employee meets the conditions for retirement set forth by the Employee Retirement System of Alabama and the City of Taylor, he/she may elect to retire and receive all benefits earned under the Alabama Retirement Plan. At the present time, the conditions for retirement under the Employee Retirement System are as follows:

- 30 years of creditable service as a member of the ERS
- 25 years of creditable service as a member of the ERS
- 10 years of creditable service as a member of the ERS and 60 years of age.

Any eligible employee who wishes to retire must complete a Request for Retirement Form and submit it to the City Clerk. This form may be submitted as far in advance as possible, but no earlier than six (6) months before the effective date and no later than forty-five (45) days prior to the requested effective date. The effective date of retirement shall be the first day of a month. Personnel Department shall submit the request to the State Retirement System. The Retirement System will send the employee a letter detailing his/her benefit options and additional forms to be completed and returned.

Questions concerning retirement and eligibility should be referred to the City Clerk.

8.5 DISABILITY SEPARATION

An employee may be separated from employment if he/she cannot perform the essential functions of the job because of an extended or chronic physical or mental impairment. Any separation for disability must comply with all requirements of the Americans with Disabilities Act and the Family Medical Leave Act. The City Clerk shall review a proposed disability separation and insure compliance with ADA and all other applicable laws.

The employee or the City may initiate a disability separation. Any disability separation must be supported by written medical evidence acceptable to the Mayor and requires the Mayor's written approval before implementation. The City reserves the right to require a second medical opinion and to make arrangements for the employee to be examined by a city-authorized physician at the City's expense.

If an employee wishes to retire based on his/her disability, the employee shall complete a Request for Retirement form and submit it to Personnel Department. Along with the request to retire form, the employee must submit a specific written medical certification required by the State Retirement System.

Questions regarding a disability separation or a disability retirement should be referred to the City Clerk.

8.6 DEATH

Separation from employment shall be effective as of the date of the employee's death. All compensation due as of that date shall be paid to the estate of the employee except for such sums that must be paid by law to the surviving spouse. Any indebtedness to the City may also be withheld from compensation, if approved by the City Council.

8.7 DISMISSAL

Any employee may be dismissed for the good of the City of Taylor when justified. Reasons for dismissal are included in the policy section entitled “Rules of Conduct.”

All dismissal proceedings shall ensure that the employee is provided maximum due process protection. The City Clerk shall provide required procedures and forms to be used in all due process proceedings. As a minimum, the employee shall be provided written notice of the proposed dismissal, the reason(s) for i t , and his /her right to answer the charges orally or in writing, and his/her right to representation of his/her choice. If the employee fails to respond to this notice, the proposed dismissal shall be effective on the date specified.

An employee may appeal his/her dismissal in accordance with the City’s grievance procedures.

9.1 EMPLOYEE SAFETY POLICY

Each employee is expected to place safe work practices and identification of unsafe conditions as a high priority while performing their daily tasks. Each employee is responsible for:

- Using the safety equipment that has been provided and required for use; wearing any uniform or other protective gear required by the job (goggles, safety glasses, masks, gloves, and earplugs).

- Operating equipment and using tools for which you have received proper training

- Operating equipment and using tools for its intended use, as recommended by the manufacturer.

- Wearing seat belts at all times in City vehicles and equipment equipped with belts

- Performing daily safety inspection of equipment before using it

- Making sure machinery or equipment is not operated unless all guards and safety devices are in place and in proper operating condition.

- Reporting defective equipment immediately to a supervisor after removing it from service

- Performing regular safety checks of the work area or job site

- Reporting dangerous or unsafe conditions that exist in the work place to your supervisor if the condition or situation is beyond your ability or authority to correct. This includes defective sidewalks, broken curbs, hanging limbs, loose handrails, open manholes, sunken sewers, missing signs, etc.

- Reporting all injuries or accidents immediately, even “near misses”

- Protecting the public from unsafe conditions that have resulted from City related work and could present a hazard

- Taking care of City property (vehicles, equipment, tools, etc.). City property shall not be abused or mistreated, and should be maintained in safe condition.

- Storing equipment securely as to prevent objects from rolling, falling, or causing a tripping hazard or obstruction to traffic.

- Keeping your work area clean. Placing trash in proper containers, placing tools and equipment in their proper place when not in use; and when in use, making sure they are placed where they may not cause tripping or stumbling hazards, or where they may not fall and strike anyone. Clean work area as job progresses. No job is finished until the work area is cleaned up.

- Using proper assistance when moving heavy or bulky items. The use of dolly’s, hand trucks, and other lifting devices is recommended.
- Wearing hard-sole shoes and appropriate clothing. Loose fitting or baggy clothing, open-toe or high heel shoes, dangling or protruding jewelry should not be worn by employees who work

with machinery or equipment that has moving parts.

- Ensuring that you are fit to work in your respective job. No employee shall be allowed to work if they are intoxicated, sick to the point that the safety of the employee and others could be in jeopardy, or under the influence of drugs, to include prescribed medication. The City shall have the right of evaluation for such conditions if just cause exists as per adopted Drug and Alcohol Policies.

- Use of Cell Phone (Cell Phone Policy).

10.0 DRUG FREE WORK PLACE AND SUBSTANCE ABUSE

10.1 GENERAL STATEMENT

Practical experience and research has proven that even small quantities of narcotics, abused and non-abused prescription drugs, or alcohol may impair judgment and reflexes. Even when not readily apparent, this impairment can have serious results, particularly for employees operating vehicles, potentially dangerous equipment, working with or around high voltage lines and appurtenances, or near and/or working with toxic chemicals. Drug-using employees are a threat to co-workers and themselves, and may make costly errors. For these reasons, CITY OF TAYLOR has adopted the following Drug-Free Workplace and Substance Abuse Policy. This policy will be enforced to provide a safe workplace for all employees. Employees should understand that a positive drug or alcohol test is not a necessary prerequisite to disciplinary action, if this policy or any other work rule has been violated. On May 14, 2010, the CITY OF TAYLOR has put into place a drug-free workplace program. All applicants and employees are subject to its conditions. Pursuant to this program adoption, all employees received sixty (60) days notice to receive proper care an intervention without jeopardy. Following the sixty days, all employees would be subject to zero tolerance should a positive substance test be determined. Those individuals who sought help/counseling were exempted. Routine Fitness-for-Duty testing was completed by the facility providing the counseling service. Additionally, employees were placed on an additional list pursuant to post-rehabilitation testing quarterly for the first year after rehabilitation.

10.2 TERMS DEFINED

For the purposes of this policy implementation, the following terms shall have the meanings assigned to them:

Alcohol: Ethyl alcohol or spirits of wine, from whatever source or by whatever process produced. Breath Alcohol Concentration (BrAC): Alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath.

Confirmation Test or Confirmed Test: A second analytical procedure used to identify the presence of a specific drug or metabolite or alcohol in a specimen. The confirmation test shall be different in scientific principle than that of the initial test procedure. The confirmation method shall be capable of providing requisite specificity, sensitivity, and quantitative accuracy.

Drugs: As used in this policy, drugs include illegal use of controlled substances, drugs which are not legally obtainable, or the improper use of prescription drugs. Unless otherwise stated, this term refers to amphetamines, cannabinoids, phencyclidine (PCP), methadone, opiates, cocaine methaqualone, barbiturates, benzodiazepines, propoxyphene, or a metabolite of any of these substances.

Evidential Breath Testing Device (EBT): Device used for alcohol testing which has been approved by the National Highway Traffic Safety Administration (NHTSA) and placed on NHTSA's "Conforming Products List of Evidential Breath Measurement Devices."

Medical Review Officer (MRO): A licensed physician (medical doctor or doctor of osteopathy), certified by either the American College of Occupational and Environmental Medicine or The American Association of Medical Review Officers, responsible for receiving laboratory results generated by an employer's drug testing program. The MRO shall have knowledge of substance abuse disorders and

appropriate medical training to interpret and evaluate an individual's confirmed positive test, medical history, and other relevant biomedical information.

Prescription Medication (Prescription Drug): A drug or medication lawfully prescribed by a physician for an individual and taken by that individual in accordance with the prescription.

Safety Sensitive Positions: As used throughout this document, the phrase "Safety Sensitive Position" means any position that involves any one or more of the following functions or criteria:

- Operating a vehicle that requires a CDL;
- Operation of vehicles, heavy machinery, or industrial equipment, the mishandling of which may place fellow employees or the general public at risk of serious injury, or the nature of which would create a security risk in the workplace;
- Handling of hazardous material;
- Working with or around high voltage lines and appurtenances;
- Controlling the process for wastewater treatment; or
- Controlling the process for water filtration and purification.

Substance Test or Test: Any chemical, biological, or physical instrumental analysis administered for the purpose of determining the presence of a drug or alcohol.

10.3 PROHIBITED SUBSTANCES

All employees are prohibited from possessing, distributing, giving, transferring, manufacturing, or having a detectable presence of any Drugs, abused prescription drugs or any other mind altering substances in their system during working hours or in a work area either on CITY OF TAYLOR premises or on any job site or in any CITY OF TAYLOR or private vehicle on the way to or from work while at work or on duty.

10.4 ALCOHOL PROHIBITED

All employees are prohibited from possessing or drinking any quantity of alcohol while at work or on duty. All employees are also prohibited from reporting to work or remaining at work with blood alcohol concentration of more than 0.02 percent by weight.

10.5 LEGAL MEDICATIONS

The proper use of medication that is legally prescribed by a physician is not prohibited. However, employees occupying a Safety Sensitive Position must
report their use of over-the-counter or prescription medication to supervisors and to the Human Resources Department if: (1) the use might impair their ability to perform their job safely and effectively; or (2) the medication is accompanied by a warning that it may cause drowsiness or may impair the user's ability to operate a vehicle or heavy equipment. A determination will then be made as to whether the employee should be able to perform the essential functions of the job safely and effectively. Depending on the circumstances, employees may be reassigned, prohibited from performing certain tasks, or prohibited from working if they are determined to be unable to perform their jobs safely and properly while taking a prescription or nonprescription legal drugs. (See MEDICAL PROCEDURES, Section 209.).

10.6 OFF DUTY SUBSTANCE AND ALCOHOL USE

Off-duty use of drugs, alcohol or any other prohibited substances which results in impaired work performance, which may include absenteeism, tardiness, poor work performance, damage to the

employer's reputation, or inferior quality of work, is prohibited.

10.7 NOTICE OF VIOLATION

a) Any employee that is convicted of a violation of a criminal drug statute (including DUI) shall notify the City of Taylor, in writing no more than Five (5) days after the conviction.

b) Any employee that is arrested under the charge of Driving Under The Influence (DUI) and the arrest results in temporary or permanent revocation of driving privileges, shall notify the City of Taylor, in writing no more than Five (5) calendar days after the arrest.

10.8 CONSEQUENCES OF VIOLATION OF POLICY

Any employee who violates this policy shall be subject to discipline up to and including immediate dismissal. However, an employee who voluntarily admits to a drug or alcohol problem, before being asked to take a substance use test, enrolls in a supervised rehabilitation program, and stops using drugs illegally, shall not be terminated for requesting help as long as the employee thereafter remains in compliance with this policy.

An employee who refuses to submit immediately upon request to an initial screening, a blood test, urinalysis, “breathalyzer” test or other diagnostic test for the purpose of detecting drug or alcohol use; refuses to sign a consent form; or refuses to cooperate with the testing process in such a way that prevents completion of the test; or adulterates or dilutes the specimen; or who is otherwise in violation of this policy, is subject to disciplinary action up to and including immediate termination.

An employee who refuses to submit to or cooperate with a blood, saliva, hair, breath or urine test after an accident forfeits his or her right to recover Workers’ Compensation benefits under Alabama Code § 25-5-51 and is subject to disciplinary action up to and including termination.

An employee who is terminated for refusing to submit to a screening or testing procedure, for testing positive in a confirmed lab test for either drugs or alcohol, or for other violation of this drug and alcohol policy, forfeits his or her unemployment benefits under Alabama Code § 25-4-78 and shall be submitted to the Department of Industrial Relations Unemployment Division for approval.

An employee who fails to notify the City of Taylor of a conviction as outlined in Section Seven (7) is subject to disciplinary action up to and including termination.

An employee subject to discipline or termination for the violation of this policy shall have the same rights of appeal as set forth for any other violation of CITY OF TAYLOR policy.

10.9 UNEMPLOYMENT COMPENSATION

Under Section 25-4-78, et seq., as amended, of the Code of Alabama (1975), Unemployment Compensation, provides that no unemployment compensation will be paid to an employee dismissed after testing positive for drugs or alcohol, refusing to submit to a test for drugs or alcohol, or knowingly altering or adulterating any test sample. . Section 25-4-78 reads in part:
“A confirmed positive drug test that is conducted and evaluated according to standards set forth for the conduct and evaluation of such tests by the U.S. Department of Transportation in 49 C.F.R. Part 40 or standards shown by the employer to be otherwise reliable shall be a conclusive presumption of impairment by illegal drugs. No unemployment compensation benefits shall be allowed to an employee having a confirmed positive drug test if the employee had been warned that such a positive test could result in dismissal pursuant to a reasonable drug policy....Further, no unemployment compensation

benefits shall be allowed if the employee refuses to submit to or cooperate with a blood or urine test as set forth above, or if the employee knowingly alters or adulterates the blood or urine specimen."
"An individual shall be disqualified for total or partial unemployment ...if he was discharged or removed from his work for ...the use of illegal drugs after previous warning or for the refusal to submit to or cooperate with a blood or urine test after previous warning ...'warning' shall mean that the employee has been advised in writing of the provisions of the employer's drug policy and that either testing positive pursuant to the standards referenced above or the refusal to submit to or cooperate with a blood or urine test as set out in the above referenced standards could result in termination of employment. This written notification as herein described shall constitute a 'warning'..." Alabama Code § 25-4-78(3) (Supp. 1996).

10.10 WORKERS' COMPENSATION

Under Alabama Law, Section 25-5-51, et seq., of the Code of Alabama (1975), workers who are injured at the workplace or in the course of employment may be tested for drugs and alcohol and, if positive, may not be paid benefits under the Alabama Workers' Compensation Law if the injury is a result of an accident caused by drug and/or alcohol impairment. Section 25-5-51 reads in part:
"A positive drug test conducted and evaluated pursuant to standards adopted for drug testing by the U.S. Department of Transportation (DOT) in 49 C.F.R. Part 40 shall be a conclusive presumption of impairment resulting from the use of illegal drugs. No compensation shall be allowed if the employee refuses to submit to or cooperate with a blood or urine test as set forth above after the accident after being warned in writing by the employer that such refusal would forfeit the employee's right to recover benefits under this Chapter."

10.11 INFORMATION DISTRIBUTION

To assist CITY OF TAYLOR in providing a safe and healthy workplace, a resource file of information on various means of employee assistance in the community, including but not limited to drug and alcohol abuse programs, is maintained by the Human Resources Department. This information will be distributed to employees for their confidential use.

10.12 DRUG AND ALCOHOL SCREENING AND TESTING CONDITIONS:

10.12.1 Pre-Employment Testing

As a condition of employment, pre-employment testing will be required of all applicants seeking employment in Safety Sensitive Positions who receive a conditional offer of employment. If an applicant tests positive for the use of illegal substances, consideration for employment will be withdrawn. If the applicant fails or refuses to appear and produce valid samples for drug and alcohol testing, the conditional offer of employment shall be withdrawn. The applicant has five days to contest or explain a confirmed positive test after written notification of such result from CITY OF TAYLOR.

10.12.2 Reasonable Suspicion

Reasonable Suspicion Testing will be required when there is reasonable suspicion to believe that an employee is using or has used drugs or alcohol in violation of CITY OF TAYLOR policy. Testing will be based upon specific objectives and articulated facts and reasonable inferences as identified on the "Reasonable Suspicion Report Form." Such facts and inferences may be based upon, but not limited to, the following:
Observation: Direct observation of substance abuse or of the physical symptoms or manifestations of being impaired due to substance use.

Abnormal Conduct: Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
Report: A report of substance use provided by a reliable and credible source.
Evidence of Tampering: Evidence that an individual has tampered with any substance use test during his or her employment with the current employer.
Evidence of Use: Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on the premises of the employer or while operating the employer's vehicle, machinery, or equipment.

Reasonable Suspicion Report: The supervisor requesting testing shall complete and sign a reasonable suspicion report form that explains in detail the circumstances and evidence warranting testing, at the time testing is requested, if feasible, but within 24 hours of testing in any event. The supervisor should have the corroboration of another supervisor, when possible, before the employee is requested to be tested. In the absence of another supervisor, another employee may be requested to witness the observation and the "Reasonable Suspicion Report Form."

Transport to Testing: If use is suspected, the employee will be transported to the collection site for testing. Under no circumstance shall the employee be permitted to drive if the employee appears to be impaired, disoriented, or confused.

10.12.3 Post-Accident Involvement

Employees will be screened or tested after any work related injury or accident where: an employee is injured beyond the need for simple first-aid treatment, or CITY OF TAYLOR vehicles or property are damaged (in excess of $200 estimated), or an employee has caused or contributed to an on-the-job injury which results in loss of work time, or an injury that is a workers' compensation injury, or there is reasonable suspicion of drug or alcohol use.

Employees are prohibited from using alcohol within eight (8) hours following an accident, until testing or initial screening is completed. Any test or screen for alcohol should be completed within two (2) hours o f a work-related incident, or as soon as possible thereafter. Drug testing should be conducted within 32 hours of the accident. A positive confirmed laboratory drug test following an on the job accident is evidence of "willful misconduct" under this policy and disqualifies the employee from receipt of workers' compensation benefits.

10.12.4 Random Screening and Testing of Safety

Sensitive Functions - Random testing will be conducted without notice on a quarterly basis on all employees who occupy Safety Sensitive Positions.

10.13 SPECIMENS

Specimens will be collected in a manner that will afford the individual privacy, yet be reasonably calculated to prevent substitution or adulteration of the specimen. The donor will be given the opportunity, after specimen collection, to record any information considered relevant to the test, current or recently used prescription or nonprescription medication or other medical condition, on the back of the donor's copy of the chain of custody control form. The employee/applicant shall observe the collector prepare the chain of custody control form and the specimen for shipment. The employee/applicant shall initial and/or sign the appropriate labels and control form for transporting the specimen as verification of the collector preparation of the control form and specimen.

10.14 LABORATORY

A licensed and approved laboratory will analyze all specimens. All initial tests having a positive result shall be confirmed. The laboratory will forward the results of all tests to the proper licensed and approved laboratory and to CITY OF TAYLOR. The MRO will attempt to contact the donor within 72-hours of notification to ascertain if there is a medical reason for a positive result. If the MRO cannot contact the donor within 72-hours, the test will be reported to the employer as positive. The facility providing the testing, either on CITY OF TAYLOR property or on its site is Drug Test Services, Inc., 433 St. Lukes Drive, Montgomery, AL 36117. This laboratory may send out samples to an additional site if a positive is determined. The third site could be any of five locations across the United States.

10.15 EMPLOYEE REQUEST

The employee/applicant may request another analysis of the original specimen at his or her own expense. If a medical reason caused a positive test result and would not affect the employee's ability to perform his or her duties, the MRO will report the test to the employer as a negative. The employee has five days to contest or explain a confirmed positive test after written notification of such result from C I T Y OF TAYLOR.

10.16 EVIDENTIAL BREATH TESTING

Evidential breath testing devices (EBTs) on the National Traffic Highway Safety Administration Conforming Products List will normally be used to determine BrAC. When using EBTs the Department of Transportation (DOT) 49 Code of Federal Regulation (CFR) Part 40 procedures shall be followed in administering and documenting the BrAC test.

10.17 EDUCATION

All employees shall annually receive one hour of education which will include at a minimum the following subjects:

- An explanation of the disease model of addiction.
- The effects and dangers of commonly abused substances in the workplace.
- CITY OF TAYLOR's policy and procedures regarding substance use.

10.18 SUPERVISORY TRAINIING

Supervisors shall receive an additional one hour of annual training which will include at a minimum the following subjects:

- How to recognize signs of employee substance abuse.
- How to document and corroborate signs of employee substance abuse.
- How to refer substance abusing employees to the proper treatment providers.

10.19 CONFIDENTIALITY

All information, interviews, reports, statements, memoranda, and test results, written or otherwise, received through CITY OF TAYLOR substance use testing program shall be held as confidential communications by CITY OF TAYLOR, MROs, laboratories, drug and alcohol rehabilitation programs, employee assistance programs, and their respective agents. Because CITY OF TAYLOR is implementing this policy for public safety reasons unrelated to law enforcement, CITY OF TAYLOR will not normally volunteer information relating to drug tests performed pursuant to this policy to law enforcement officers. Notwithstanding the foregoing, such information may be used or received in

evidence, obtained in discovery, or disclosed in any civil, administrative, or disciplinary proceeding.

10.20 RELEASE OF INFORMATION

Release of such information under any other circumstance shall be solely pursuant to a written consent form signed voluntarily by the individual that was tested, unless the release is compelled by an agency of the state or a court of competent jurisdiction or unless deemed appropriate by a professional or occupational licensing board in a related disciplinary proceeding.

10.21 INVESTIGATIONS AND SEARCHES

Where there is reasonable cause to suspect an employee has violated this policy, CITY OF TAYLOR reserves the right for a supervisor to inspect lockers, work areas, desks, cabinets, purses, bags, briefcases, tool boxes, or other belongings, and vehicles (including personal vehicles which an employee brings onto the CITY OF TAYLOR property) on the CITY OF TAYLOR's property or at locations where work-related activities are being conducted, without prior notice. "Cause to suspect" shall be solely in the judgment and discretion of CITY OF TAYLOR. CITY OF TAYLOR may release any illegal, or controlled drugs, or paraphernalia to law enforcement authorities in accordance with appropriate procedures.

Employee Acceptance Form

Date: _____

Employee Name: _____

Department: _____

By signing below, I acknowledge I have received and read the policies contained herein.

Signed: _____

Cc: Employee File