

# City of Dora



## Personnel Policy

September 12, 2021

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This table of contents is intended for convenience purposes only. It is not inclusive of all the information in this document. In addition, some topics are discussed on more than one page.

## City of Dora

### Personnel Policy

#### Section 1 General Information

##### Employee-At-Will Policy

It is the policy of the City of Dora that each of its employees shall be an employee-at-will and each employee's employment with the City is not guaranteed. As an employee of the City you have entered into your employment relationship with the City voluntarily and there is no specified length of employment. Accordingly, either you or the City can terminate the employment relationship at will, with or without cause, at any time, so long as there is no violation of applicable Federal or State law.

Since the information, policies, and benefits described herein are necessarily subject to change, revisions to the Personnel Policy may occur, except to the City's policy of employment-at-will. All such changes will be communicated through official notices, and the revised information may supersede, modify, or eliminate existing policies. Only the City has the ability to adopt any revisions to the policies. Any change or revision to this Personnel Policy shall never be construed by an employee as changing his or her employee-at-will status with the City.

**Nothing in this Personnel Policy, nor any future revisions, amendments, additions, or deletions to it shall be construed as creating an express or implied contract of employment, or a contract or promise concerning the policies or practices the City has implemented or will implement in the future.**

##### Equal Opportunity Employer

The City of Dora will not discriminate against any employee based on race, creed, color, ancestry, sex, marital status, age, genetic information, veteran status, gender non-conformity, religion, national origin, non-job-related handicap or disability or on any other prohibitive basis.

It is the policy of the City of Dora to provide equal opportunity in employment to all employees and applicants for employment. No person is to be discriminated against in employment.

This policy applies to all terms, conditions, and privileges of employment, including hiring, training, placement and employee development, promotion, transfer, compensation, benefits, layoff and recall, social and recreational programs, employee facilities, termination, and retirement.

### ADA Statement

It is the policy of CITY OF DORA to hire the best qualified people to perform jobs effectively and safely. Individuals with disabilities are not excluded from jobs they can perform.

The ADA (Americans with Disabilities Act) prohibits employment discrimination against "qualified individuals with disabilities." A qualified individual with a disability is an individual with a disability who meets the skill, experience, education, and other job-related requirements of a position held or desired, and who, with or without reasonable accommodation, can perform the essential functions of a job. .

Under ADA, an individual with a disability is a person who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment; or is regarded as having such impairment.

### Probationary Period

All employees hired, or promoted, must serve a one-year probationary period before employment, or promotion is considered permanent. During the probationary period, the employee's work habits, abilities, attitude, promptness, and other characteristics will be observed and evaluated by a supervisor, department head and other appropriate officials. If the probationary employee fails to meet acceptable and professional standards as may be deemed necessary by the appointing authority, employment will be terminated, or if the employee is a

regular employee, the employee may be restored to the position from which he/she was promoted or assigned to different but comparable position.

## Section 2 Personnel Issues

### Time Clock

All non-exempt employees are required to punch their timecards daily. Time sheets cover one pay period and must be completed by the close of each workday. Timecards are official records of hours worked. All employees must punch their **own** timecards upon reporting to and leaving work. Missing or incorrectly punched timecards should be reported immediately to the employee's supervisor.

Deliberately punching someone else's timecard, or having someone else punch the employee's timecard, is cause for discipline up to and including termination. If another employee's timecard is punched in error, it should be reported immediately to the employee's supervisor. Likewise, any misrepresentations on an employee's time sheet will be cause for discipline, up to and including termination.

### Nepotism

City of Dora is not required to hire or continue employment of an individual if it:

- Would place the individual in a position of exercising supervisory, appointment, or disciplinary authority over a member of the individual's family or in a position of being subject to the authority that a member of the individual's family exercises; or
- Would cause City of Dora to disregard a bona fide occupational requirement reasonably necessary to the normal operation of City of Dora's business; or
- Would create either an actual conflict of interest or the appearance of a conflict of interest.

These criteria will also be considered when assigning, transferring, or promoting an employee. For purposes of this policy, "member of the individual's family" includes wife, husband, son, daughter, mother, father, brother, brother-in-law, sister, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, stepparent, or stepchild of the employee.

Employees who marry or become members of the same household may continue employment if there is not:

- A direct or indirect supervisor/subordinate relationship between the employees; or
- An actual conflict of interest or the appearance of a conflict of interest.

Should one of the above situations occur, City of Dora will attempt to find a suitable position within the City of Dora to which one of the affected employees may transfer. If accommodations of this nature are not feasible, the employees will be permitted to determine which of them will resign.

### Payroll Classifications

Additionally, all employees are categorized in one of two classifications for overtime pay purposes. These classifications comply with the Fair Labor Standards Act ("FLSA").

#### **Exempt (Salary)**

This classification includes all managerial jobs and some supervisory, administrative, computer-related, and/or professional jobs. These jobs are exempt from the payment of overtime.

#### **Non-Exempt (Hourly)**

Employees who do not qualify under any exemption are considered non-exempt and will receive overtime pay. The pay for jobs in this classification may vary each week based on the number of hours worked.

### Use of City of Dora Communication Systems

It is the policy of the City of Dora to provide, or contract, for the communications and equipment necessary to promote the efficient conduct of its business.

- a) All City of Dora communications services and equipment, including the messages transmitted or stored by them, are the sole property of City of Dora. City of Dora may access and monitor employee communications and files as it considers appropriate. Communications equipment and services include mail, electronic mail, the internet, courier services, facsimiles, telephone systems, computer networks, on-line services, computer files, video equipment and tapes, tape recorders and recordings, pagers, cellular phones, and bulletin boards.

Employees are not to send broadcast messages on City of Dora's communications systems without the prior approval of management. No chain letters, solicitations or advertisements are to be sent without prior management approval.

- b) Employees have no personal privacy rights at all when using City of Dora communication services and equipment. This includes the sending or receiving of electronic mail messages. Employees are not permitted to lock files by using personal passwords, without prior approval by their supervisor or the Human Resources Coordinator. Passwords are to be shared with management. Management is to have access to any file at any time since all files are the property of the City of Dora. City of Dora has the right to access anything stored on its communication systems or equipment including personal electronic mail or voice mail.
- c) Employees are to use CITY OF DORA's communication systems for business purposes only. Use of it for any other purpose will result in disciplinary action. Downloading copyrighted materials and accessing inappropriate sites is forbidden.
- d) Employees are required to do a virus scan on all downloaded information. Unauthorized software is not to be loaded on CITY OF DORA's communication equipment. Software additions are to be done by the personnel designated by the mayor.
- e) Many communications services and equipment have toll charges or other usage-related expenses. Employees should be aware of these charges and should consider cost and efficiency needs when choosing the proper vehicle for each business communication. Employees should consult their supervisor if there is a question about the proper mode of communication.
- f) Employees should not use CITY OF DORA communications services and equipment for personal purposes except in emergencies or when extenuating circumstances warrant it. When personal use is unavoidable, employees must properly log any user charges and reimburse CITY OF DORA for them. However, whenever possible, personal communications that incur user charges should be placed on a collect basis or charged directly to the employee's personal credit card or account. CITY OF DORA

communications property or equipment may not be removed from the premises without written authorization from the mayor.

- g) Employees should exercise care so that no personal correspondence appears to be an official communication of City of Dora. Personalized City of Dora stationery and business cards may only be issued by the City of Dora. Employees may not use City of Dora's address for receiving personal mail or use City of Dora stationery or postage for personal letters.
  
- h) Improper use of City of Dora communications services and equipment will result in discipline, up to and including termination. Improper use includes any misuse as described in this policy as well as any harassing, offensive, demeaning insulting, intimidating, or sexually suggestive written, recorded, or electronically transmitted messages.
  
- i) Altering company equipment without authorization of City of Dora or its designated representative will result in disciplinary action up to and including termination.
  
- j) Employees should be mindful of information that is being transferred through electronic communication, so that it does not include any confidential or proprietary information about City of Dora.
  
- k) Employees should promptly notify their immediate supervisor of unsolicited improper electronic mail.
  
- l) The playing of electronic games, both computer games and video games, at City of Dora's facilities is prohibited. The prohibition on playing such games applies to on-duty time as well as employee's on-site free time, such as lunch or break. Violations of this policy will result in disciplinary action ranging from suspension without pay to termination.

#### Release of Information to the News Media



Employees shall refrain from making public statements regarding the affairs of City of Dora to the media without expressed consent of the mayor. All questions regarding the operations of City of Dora should be referred to the mayor. Violation of this policy will result in disciplinary action, up to and including termination.

### Workplace Visitors

Due to concerns of security and safety in the workplace, the City of Dora shall limit employee's visitors, this includes family and friends, to its facilities. All visits with employees must be brief. Abuse of this policy may result in disciplinary action.

### Personal Items

The city will not be responsible for any theft or destruction of, or damage done to employee's personal property.

### Credit Card Policy

All credit cards and credit accounts belonging to City of Dora are not to be used without the expressed written or verbal consent of the department supervisor.

### Cellular Phone Policy

The use of cellular telephones for personal use within the workplace is prohibited. Personal cellular telephones should be turned off during work time. The operation of company issued cellular phones at the work site is limited to company use. Although many cellular telephones are equipped with cameras and other imaging and recording devices, the use of these capabilities is prohibited except for official duty.

### Driving:

City of Dora has a zero-tolerance policy regarding using a cellular phone while driving. For the safety of our employees and others it is imperative that you pull over and stop at a safe location to dial, receive calls or converse on the cell phone in any way.

### Regular Attendance and Promptness

City of Dora places an extremely high priority on attracting and retaining employees who accept responsibility to perform their assigned duties conscientiously and in a professional manner. A superior attendance record is a fundamental prerequisite for meeting one's responsibilities as a valued employee. Regular attendance and being on time every day is an essential responsibility of every employee.

As a City of Dora employee, you are expected to strive for perfect attendance by:

- Attending to personal affairs and obligations at times when you are not scheduled to work.
- Making a personal commitment not to allow minor indispositions or inconveniences to prevent you from reporting to work.
- Observing safety rules and practices both on and off the job.
- Maintaining a healthful home and work environment and taking reasonable precautions against illness.

All employees are expected to report to work on time as scheduled. Any employee who cannot meet his/her work schedule is required to personally contact his/her immediate supervisor via telephone or other previously agreed upon means as far in advance as possible but no less than one hour before the employee's shift is to begin. Notifying another employee or the dispatcher is not sufficient. Every effort should be made to contact the supervisor personally.

### **Firearm Policy**

Employees shall not carry on their person a concealed, or open carry, firearm while on duty as an employee of the City of Dora. Exception would be made for Certified Law Enforcement Officers, reserve officers, and dispatchers who has currently qualified with their firearm, and other employees if approved in writing by the Chief of Police.

### **Social Media Policy**

The purpose of this policy is not to restrict the flow of useful and appropriate information, but to minimize the risk to City of Dora and its employees. City of Dora recognizes the growing importance of online social media networks as a communication tool and respects the right of employees to use these mediums during their personal time. Use of these mediums during company time or on company equipment, however, is prohibited.

City of Dora takes no position on employees' decision to participate in the use of social media networks. However, employees who participate in social media may include

information about their work at City of Dora as part of their personal profile, as it would relate to a typical social conversation. This may include:

- Work information such as company name, job title, and job duties.
- Status updates regarding an employee's own job promotion.
- Personal participation in City of Dora sponsored events, including volunteer activities.

In general, employees who participate in social media are free to publish their own personal information without censorship by City of Dora. Employees must avoid, however, posting information that could place City of Dora at legal compliance risk.

All employees are responsible for maintaining the city's positive reputation and presenting the city in a manner that safeguards the positive reputation of themselves, as well as the city's employees, mayor, council, and citizens.

If an employee chooses to identify him or herself as a City of Dora employee on any social media network, he or she must state in clear terms that the views expressed are the employee's alone and that they do not reflect the views of City of Dora. Employees are prohibited from acting as a spokesperson for City of Dora or posting comments as a representative of the city.

There are some types of information employees are not permitted to discuss or display online, including:

- a) Information that is confidential or proprietary to City of Dora, or to a third party that has disclosed information to the city. For example:
  - information about or identifying co-workers; the city's customers, partners, vendors, and suppliers; or
  - information that may be City of Dora intellectual property such as drawings and/ or designs, software, ideas, and innovation.
- b) Statements disparaging City of Dora's executive leadership, coworkers, strategy, or upcoming projects.
  - City of Dora's logo on any social media network without permission. Also, images of co-workers and City of Dora premises and property.
  - Statements, comments, or images referencing illegal drugs or that include profanity or could be considered obscene.
  - Statements, comments, or images that disparage any race, religion, gender, sexual orientation, disability, or national origin. Also, any communication that engages in personal or sexual harassment, unfounded accusations, or remarks that would contribute to a hostile work environment (racial, sexual, religious, etc.)

Nothing in this section shall be interpreted or applied as limiting an employee's right to engage in protected concerted activity as provided by the National Labor Relations Act.

### **CITY OF DORA Social Media Presence**

CITY OF DORA maintains a city presence on social media sites that are deemed appropriate for marketing the city to the public. These pages are maintained by the city administration and its webpage designer; however, employees are permitted to participate on these pages while representing themselves personally, following the guidelines above.

Employees will be subject to discipline for any social media posting that CITY OF DORA determines is detrimental to the city's business. Note that employees will be held responsible for the disclosure, whether purposeful or inadvertent, of confidential, proprietary city information, and information that violates the privacy rights or other rights of a third party. Further, employees may be liable for monetary damages for such disclosure.

### **Misinformation Correction**

Federal law requires that any employee who endorses the City online must disclose his or her employment in the endorsement. CITY OF DORA appreciates that employees may be tempted to correct misinformation about the city that might randomly appear online. If such a situation occurs, the employee should relay the information to the Mayor, who will determine the best response, if any.

### **Employee Web sites/Blogs**

Anything posted on an employee's web site or blog is subject to all other CITY OF DORA policies, rules, regulations, and guidelines.

- CITY OF DORA is free to view and monitor an employee's website or web log at any time without consent or previous approval.

### **Violation of Policy**

The nature of any social media posting and degree of harm to CITY OF DORA will be factors in determining whether discipline will be imposed and the severity of any such discipline, up to and including termination of employment.

## Section 3 Administration

### Pay Period

The workweek begins at 12:01 a.m. Sunday and ends at 12:00 A.M. the following Saturday night, and one pay period consists of two such workweeks. Employees are generally paid by direct deposit on a bi-weekly basis. Deposits are made the Friday following the end of each pay period. Should you have any questions regarding your pay, or require a paper check instead of direct deposit, please contact your supervisor.

### Pay Advances

Neither pay advances, nor extensions of credit on unearned wages, will be provided to employees. If a regular payday falls during an employee's vacation, the employee's paycheck will be available upon his or her return from vacation unless the employee is normally paid via direct deposit, in which instance the deposit will be made in the normal manner.

### Overtime

Normally workweeks will not exceed forty hours; however, extended workweek may be required to complete necessary tasks. All overtime must be approved in advance by the employee's supervisor or manager. Eligible employees (i.e., those who are "non-exempt" hourly employees) will receive time and one-half of their regular hourly rate of pay for all hours worked over 40 hours in each work week. Exempt (salary) employees do not receive overtime pay. No employee shall work overtime unless approved in advance by the employee's supervisor. **Failure to work overtime when requested by the supervisor shall subject an employee to discipline up to and including termination of employment.**

All overtime authorized, and worked, will be paid in the pay period in which it is reported and worked. Time off during a work week for vacations or holidays is considered as time worked when computing overtime pay.

### Call in pay

Any employee who is called in to work after completing a shift due to an urgent need, will be paid a minimum of two hours, regardless of time worked.

## SECTION 4 - EMPLOYEE PERFORMANCE AND CONDUCT

### (a) Employee's and Supervisor's Responsibilities

(1) It is the duty of every employee to attempt to correct any faults in performance when called to his or her attention and to make every effort to avoid conflict with the City of Dora rules and regulations.

(2) It is the duty of every supervisor to discuss improper or inadequate performance with the employee to correct the deficiencies and to avoid the need to exercise disciplinary action. Discipline shall be whenever possible, of an increasingly progressive nature.

(3) All employees will undergo an annual job performance review with their supervisor to assist in identifying areas of excellence as well as areas of deficiencies.

### (b) Grounds for Action

The following are declared to be grounds disciplinary action.

(1) Conviction of a felony or other crime involving moral turpitude.

(2) Acts of incompetency.

(3) Absence without leave.

(4) Acts of insubordination.

(5) Intentional failure or refusal to carry out instructions.

(6) Misappropriation, destruction, theft, or conversion of public property.

(7) Employee subsequently becomes physically or mentally unfit for the performance of duties.

(8) Willful disregard of orders.

(9) Habitual tardiness and /or absenteeism.

- (10) Falsification of any information required by the City of Dora.
- (11) Failure to properly report accidents or personal injuries.
- (12) Neglect or carelessness resulting in damage to public property, equipment, or injury to another human being.
- (13) Repeated convictions during employment of misdemeanor and/or traffic charges which affect employee's ability to perform the job.

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- (14) Introduction, possession, or use on government property or in government equipment of intoxicating liquors or illegal drug substance or proceeding to or from work under the influence of liquor or illegal drug substance.
- (15) Gambling on City property.
- (16) Horseplay, fighting or deliberately injuring another employee.
- (17) Violation of any of the policies or rules contained in this Personnel Policy handbook.

#### DISCIPLINARY ACTION

It is the policy of City of Dora that all employees are expected to comply with City of Dora's personal conduct standards of behavior and performance and that any noncompliance with these standards must be remedied. Under normal circumstances, City of Dora endorses a policy of progressive discipline in which it attempts to provide employees with notice of deficiencies and an opportunity to improve.

While City of Dora reserves the right to terminate employees for any reason not prohibited by law at any time, disciplinary action may take one or more of the following forms:

- Verbal warning —An employee may in some situations first receive a verbal warning. A verbal warning is given to warn the employee not to continue the present conduct. This will be either on an informal basis, done at the scene of the incident, or on a formal basis, at which time the supervisor will make a notation of the warning and it will be placed in the personnel record of the employee. Supervisors should document verbal warnings using the "Counseling Memorandum" form and have it placed in the employee's personnel file with Human Resource Services.

- **Written warning** — A written warning may be issued by the supervisor. A written warning can have a probationary period attached to it if so warranted. If a probationary period is warranted the supervisor will indicate the time-period in which the employee is expected to improve his or her conduct. If the employee's conduct is improved and it is noted the employee will continue in normal employment. If improvement is not noted the employee will be subject to further disciplinary action including termination of employment. Written warnings should specify the reasons for the supervisor's dissatisfaction and any supporting evidence. Employees will have an opportunity to rebut written warnings at the time they are issued. Supervisors should use the "Employee Warning" form and send copy to be filed in the employee's personnel file With Human Resource Services and give original to the employee.
- **Suspension** — An employee may be suspended without pay for one or more days. A written record concerning the suspension will be put into the employee's personnel file.
- **Termination** An employee may be immediately terminated for a specific reason if the gravity of the situation in City of Dora's discretion warrants. Notation of the dismissal and the reason will be placed in the employee's personnel record.

**The foregoing steps may be accelerated to a higher level in severe or aggravated cases either at the discretion of the Mayor or employees supervisor.**

### Anti-Harassment/Discrimination Policy

#### a) Purpose

City of Dora is committed to establishing and maintaining a work environment that is free of harassment and discrimination. In keeping with this commitment, we will not tolerate any form of harassment or unlawful discrimination against our employees by anyone, including supervisors, other employees, vendors, clients, or citizens. All employees are expected to avoid any behavior or conduct that could reasonably be interpreted as unlawful harassment or discrimination. Currently, Federal Law prohibits any form of harassment and/or discrimination based upon race, color, sex, religion, national origin, gender non-conformity, military status, genetic information, disability, and age.

#### b) Definition

Harassment is a form of discrimination and can consist of unwelcome conduct whether verbal, physical, or visual. Any such conduct or statement, including practical jokes,



racial epithets, taunting, that interferes with any employee's ability to perform his/her job, or which creates a hostile, offensive, or intimidating working environment, will not be tolerated.

While all forms of harassment and discrimination are condemned including, sexual harassment. Briefly stated, sexual harassment is unwelcome sexual advances, requests for sexual favors, and other physical, verbal, or visual conduct based on sex may constitute sexual harassment. This conduct is unlawful when: 1) submission to the conduct is an explicit condition of employment 2) submission to or rejection of the conduct is used as the basis for an employment decision, or 3) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment. Sexual harassment may include such actions as: sex oriented verbal kidding, teasing, or jokes; foul or obscene language or gestures; display of foul or obscene printed or visual materials; physical conduct such as patting, pinching or brushing against another person's body; and demands for sexual favors. While such conduct generally can amount to sexual harassment only if it is both unwelcome and either severe or pervasive, CITY OF DORA nevertheless discourages any such conduct in the workplace, regardless of the circumstances.

c) Conduct

All employees, especially supervisors, are expected to avoid any behavior or conduct that could be interpreted as unlawful harassment or discrimination. All employees should also understand the importance of informing an individual whenever that individual's behavior is unwelcome, offensive, in poor taste, or inappropriate.

d.) Sexual Harassment

It is the policy of City of Dora to maintain a work environment free of unlawful discrimination for all employees. ZERO TOLERANCE is the City of Dora's sexual harassment policy. Sexual harassment is unacceptable conduct, which violates the policy of City of Dora. City of Dora defines sexual harassment in the following manner:

1) Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when any of the following situations exist:

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

Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.

Such conduct has the purpose or effect of unreasonable interference with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

- 2) Sexual harassment applies to the conduct of a supervisor toward a subordinate or an employee toward another employee.
- 3) Each supervisor and manager have a responsibility to keep the workplace free of any form of harassment, and in particular, sexual harassment. No supervisor or manager is to threaten or insinuate, either explicitly or implicitly, that an employee's refusal or unwillingness to submit to sexual advances will affect the employee's terms or conditions of employment.
- 4) Sexually harassing or offensive conduct in the workplace, whether committed by supervisors, managers, or non-supervisory employees, is also prohibited. This conduct includes:
  - a) Unwanted physical contact or conduct of any kind, including sexual flirtations, touching, advances, or propositions.
  - b) Verbal abuse of a sexual nature.
  - c) Demeaning, insulting, intimidating, or sexually suggestive comments about an individual's dress or body.
  - d) The display in the workplace of demeaning, insulting, intimidating, or sexually suggestive objects or pictures, including nude photographs.
  - e) Demeaning, insulting, intimidating, or sexually suggestive written, recorded, or electronically transmitted messages.

Any of the above conduct is prohibitive.

#### e.) Procedures

Any employee who feels that he/she has been subjected to any form of unlawful harassment or discrimination can report the facts to any supervisor. If for any reason an employee does not feel comfortable reporting the facts to his/her supervisor, then the employee may report the facts to the City Clerk, or Mayor. Employees who are aware of

such conduct being directed to others should report their concerns. Any supervisor who receives a harassment or discrimination complaint report should promptly contact the City Clerk, or Mayor. There will be no retaliation against anyone for reporting discrimination or harassment or for cooperating with an investigation of a complaint of discrimination or harassment. No employee will be disciplined or penalized in any way for reporting any act of harassment, or for making a complaint, unless the investigation clearly shows that the report, or complaint, is false and was made for the purpose of damaging the reputation of the fellow employee. If the investigation confirms that a violation of this policy has occurred, then appropriate corrective action, including disciplinary measures, will be taken. In investigating complaints of harassment under this policy, the mayor may impose discipline for inappropriate conduct without regard to whether the conduct constitutes a violation of the law and even if that conduct does not rise to the level of violation of this policy. The mayor will advise interested parties of the outcome of an investigation, although not necessarily all details, of the actions taken by the mayor to maintain a harassment free environment.

e) Monitoring Compliance

The Supervisor and/or City Clerk is/are responsible for monitoring the individual's compliance with any corrective action approved by the Mayor. The Supervisor must ensure that the harassment does not reoccur, and that the complainant is not subjected to retaliation.

It is the policy of City of Dora to promote a productive work environment and not to tolerate verbal or physical conduct by any employee that harasses, disrupts, or interferes with another's work performance or that creates an intimidating, offensive, or hostile environment.

Employees are expected to maintain a productive work environment that is free from harassing or disruptive activity. No form of harassment will be tolerated, including harassment for the following reasons: race, national origin, religion, disability, pregnancy, age, or sex.

### Leaving City of Dora

When an employee wishes to resign because of illness or for personal reasons, the possibility of a leave of absence may be explored if the employee has a good work record and has sufficient length of services.

Employees are expected to give written notice prior to the effective date of their resignation. Salary employees are expected to give 30 day notice, and hourly employees a 14 day notice. Wages earned will be paid on the next regularly scheduled pay day. PTO leave cannot be taken as part of or all the two (2) weeks or thirty (30) day notice.

Employees who do not give sufficient notice of intent to resign to permit smooth continuation of City of Dora's business will not be eligible for rehire.

## Section 5 EMPLOYEE BENEFITS

**Retirement Benefits:** The City of Dora participates in the State of Alabama retirement plan. All full-time employees will be enrolled on hire date. A percentage of each full-time employee's income will be deducted from their paycheck and contributed to this plan. The City of Dora will also pay a matching portion into the plan. See the City Clerk for more details.

### **Jury Duty**

Upon receiving a summons to report for jury, or CITY OF DORA related court appearance, prior to approval of leave, an employee must present a copy of the subpoena or other court document to the Supervisor/Manager. The employee shall be excused from employment for the day, or days, required in serving as a juror, or CITY OF DORA, related court appearance in any court created by the United States or the State of Alabama. This shall be considered an excused absence. Employees shall be entitled to their usual compensation from during this leave. Employees are permitted to retain any compensation for such duty.

### **Paid Time Off**

#### **Purpose:**

To define the eligibility for, and accrual of paid time off (PTO) for employees of the CITY OF DORA.

Paid Time Off (PTO) provides paid time away from the job for regular full time employees. It is an account that combines sick time and vacation time to increase employee flexibility.

#### **Eligibility:**

A regular full time or regular part time employee becomes eligible to take PTO at the end of his/her six (6) month initial employment period. If an employee is terminated, or resigns, prior to the end of the initial six (6) month period, no PTO will be paid out.

All employees must obtain approval from their supervisor to use PTO. If any absence is not approved for PTO by an employee's supervisor in advance, then the absence will not be paid time off. All employees must request PTO leave two (2) weeks in advance for approval from their supervisor.

If an employee was previously denied PTO and calls in sick on any of the unapproved days, the employee must bring certification of illness from his/her medical provider when he/she returns to work. Failure to do so will result in leave without pay.

**Accrual Rate:**

If the employee is regular full time, PTO accrual is based on years of service with the city.

Regular full-time employees accrue PTO at the following rate:

<u>Years of Service</u> <u>Days</u>	<u>Accrual per Pay Period</u>	<u>Annual Accrual</u>	
0-5 years	4.62	120 hours	15
5-10 years	5.85	152 hours	19
10 -15 years	7.08	184 hours	23

At 15 years, employees will receive an extra accrual of 0.31 hours per pay period for each year starting at 15 years till a max of 240 hours (30 days) is reached at year 21.

Employees must provide a minimum of two (2) weeks notice to receive payment of PTO hours. The only exception is for an acute illness.

**Termination of Employment:**

Upon termination of employment, employees will be compensated for Paid Time Off as follows:

<u>Years of Service</u>	<u>% of PTO Balance Paid</u>
6 months – 1 year	50%
1 + years	100%

All employees must provide a minimum of two (2) weeks' notice of intent to end employment to receive payment of accrued PTO hours.

PTO leave **CANNOT** be taken as part of, or all, of the two weeks notice. Any leave approved prior to the notice will be canceled

### **Rollover:**

An employee will be able to rollover a maximum of forty (40) hours per year as Paid Time Off into the next calendar year. An employee may rollover additional hours as Banked Sick Time provided the employee submits a written request to his/her supervisor. This time must be approved by his/her supervisor and the mayor prior to December 31. Any PTO that is not rolled over, or converted to Banked Sick Time, will be forfeited December 31. **Exception: In the first year this policy is put into effect, employees with a hire date after September 1, will be allowed to rollover 80 hours PTO.** This is one time only, and by the end of the next calendar year, that exception is removed.

### **Banked Sick Time:**

Employees will be able to utilize banked sick time for absences due to medical reasons for self, spouse, or dependent children. Absences that qualify for use of banked sick time must be three (3) or more working days and will require written verification from the employee's physician and approval from the employee's supervisor. If written verification is not provided, leave time taken will be deducted from the employee's PTO hours. Employees with less than 5 years employment with the city will not be paid for banked sick time upon termination of employment. Employees with 5+ years employment with the city will paid 50% of banked sick time upon termination of employment with the city.

### **Military Leave**

Military leave means training and service duty performed by an inductee, enlistee, or reservist, or any entrant into a temporary component of the armed forces of the United States, to include time spent in reporting and returning from such training in service or, if rejection occurs, from the place of reporting to service. It also includes active-duty training as a reservist in the armed forces of the United States or as a member of the National Guard of the United States.

(a) Eligibility

Any permanent employee who has completed the probationary period and who left the classified service for compulsory military duty shall be placed on military leave without pay after the first 23 days; such leave to extend through a date of ninety (90) days after the employee is released from the classified service. Also, a permanent employee who has completed the probationary period shall be granted a leave of absence for the purpose of being inducted or otherwise entering military service. If not accepted for such duty, the employee shall be reinstated in his or her position without loss of status or reduction in pay.

(b) Restoration

An employee returning from military leave shall be entitled to restoration to his or her former position, provided the employee makes application within ninety (90) days after release from military duty and is physically and mentally capable of performing the duty involved.

(c) Disposition of Pay and Sick Leave

A regular employee who leaves the city directly for such military leave without pay may elect to be paid for any accrued vacation leave to which the employee may be entitled as if he or she were separating from the city. If the employees elect not to be paid for such leave, the accrued leave credit shall be reinstated upon return of the employee. Employees returning to duty under this provision shall have unused sick leave credits restored for their use.

(d) Leave With Pay for Training

Any employee who is a member of the National Guard of Alabama or who is a reserve officer or who is enlisted in the Army, Navy, Marine Corps, or Air Force reserve shall be granted leave of absence with pay for the purpose of attending an encampment of such organization for training when so ordered by military authority. The maximum military leave with pay shall not exceed twenty-one (21) days in any calendar year. Refer to Section 31-2-13 Code of Alabama, 1975.

(e) Additional Leave with Pay

In addition to the leave with pay for training purposes, Alabama Code Section 31-2-13 provides for an addition 168 hours of paid leave if employee is called to active duty by the governor.

**FMLA leave**

Employees of CITY OF DORA are eligible for family and medical leave if they have at least 12 months of service and have worked at least 1,250 hours within the

preceding 12-month period. The CITY OF DORA uses a "rolling" 12 month period measured backward from the date the employee uses any FMLA leave. If eligible, an employee may be able to take up to 12 weeks of unpaid leave during a 12-month period for the following reasons:

1. The birth of a child or to care for a child within the first 12 months after birth.
2. The placement of a child with the employee for adoption or foster care and to bond with and care for the child (within the first 12 months after placement).
3. To care for an immediate family member who has a serious health condition.
4. For a serious health condition that makes the employee unable to perform the functions of his/her position; or
5. If the employee experiences a qualifying urgency that arises out of the fact that a spouse, parent, or child has been called to or is on active military duty as a member of the National Guard or military reserves.

### **Military Caregiver Leave:**

In addition, an employee who is the spouse, parent, child, or next of kin of a current member of the armed forces (including the regular armed forces) who was injured while on active duty may be eligible for up to 26 weeks of FMLA leave in a 12-month period, including the types of leave listed above.

**Notice of Leave:** When requesting leave, the employee must:

- Supply sufficient information for CITY OF DORA to be aware that the FMLA may apply to the leave request, as well as information regarding the anticipated timing and duration of leave.
- Provide notice of the need for leave at least 30 days in advance or as soon as practicable; Employees must comply with the organization's standard procedures for requesting other forms of paid leave.
- Cooperate with all requests for information regarding whether absences are FMLA qualifying.
- Failure to comply may result in leave being delayed or denied.



**Intermittent Leave:** When medically necessary, employees may take FMLA leave intermittently or on a reduced schedule basis for their own serious health condition, the serious health condition of a family member, or for military caregiver leave. Employees are required to cooperate with CITY OF DORA to arrange reduced work schedules or intermittent leave so-as-to minimize disruption of business operations.

- Qualifying urgency leave may be taken intermittently without regard to medical necessity or disruption of business operations.
- Leave because of the birth or adoption of a child may not be taken intermittently and must be completed within the 12-month period beginning on the date of birth or placement of the child.

**Medical and other Certifications:** Employees will be required to provide a medical certification if the leave request is: 1) for the employee's own serious health condition, 2) to care for a family member's serious health condition, or 3) military caregiver leave. Failure to provide the requested certification in a timely manner may result in denial of the leave until it is provided. If an employee refuses to provide a certification, his/her leave request may be denied, and the employee may be disciplined.

CITY OF DORA, at its expense, may require a medical examination by a health care provider of its own choosing if it has a reasonable question regarding the medical certification provided by the employee. In lieu of a second opinion, CITY OF DORA may contact the health care provider directly to clarify or authenticate a medical certification, including certifications for military caregiver leave. Second opinions may not be required for military caregiver leave.

Separate certification may also be required regarding the nature of the family member's military service and/or the existence of a qualifying exigency.

**Fitness for Duty Certifications:** Because CITY OF DORA wishes to ensure the well-being of all employees, any employee returning from FMLA leave for his/her own serious health condition will need to provide a Fitness for Duty (FFD) certification signed by his/her health care provider. An employee who fails to provide an FFD certification will be prohibited from returning to work until it is provided. An employee who fails to provide an FFD certification may be disciplined or terminated.

FFD certifications may be required when an employee returns from intermittent FMLA leave if serious concerns exist regarding the employee's ability to resume his/her duties safely.

**Maintenance of Benefits:** CITY of DORA will maintain health care benefits for the employee while on FMLA leave, but the employee is responsible for paying the normal monthly contribution. If the employee elects not to return to work at the end of the leave period, the employee will be required to reimburse CITY OF DORA for the cost of premiums paid for maintaining coverage during the leave period. All other benefits cease to accrue during the unpaid portion of the leave.

**Married Couples Who Work for CITY OF DORA:** If an employee and his/her spouse both work for CITY OF DORA, they are both eligible for leave. The employee and employee spouse may be limited to a combined total of 12 weeks of FMLA leave in a 12-month period if the leave is taken for:

- The birth, adoption, or foster placement of a child.
- To care for and bond with such child who does not suffer from a serious health condition.
- To care for a parent with a serious health condition; or
- A combination of the above.

For military caregiver leave, the employee and employee spouse may be limited to a combined total of 26 weeks of leave in a 12-month period, including the types of leave listed above in this paragraph.

Return from Leave. Upon return from leave, the employee will be restored to his/her original or an equivalent position. An employee who fails to return at the end of FMLA leave will in most cases be considered to have voluntarily resigned his/her position with CITY OF DORA. Employees who do not return to work at the end of their leave will be terminated unless they are entitled to additional leave as a reasonable accommodation under the Americans with Disabilities Act.

### **Bereavement Leave**

Regular full-time employees are eligible for a maximum of three (3) days off in the event of death in the employee's immediate family. For the purposes of bereavement leave, members of the family are defined as wife, husband, son, daughter, stepchild, mother, father, stepmother, stepfather, brother, sister, mother-in-law, father-in-law, grandparent, or grandchild of the employee. Two of the days

must be taken in conjunction with the day of death, or the funeral. The third day can be taken at employees request within 30 days of the death. It is the responsibility of the employee to request the number of days he/she will need when they report the death to his/her supervisor. The employee's supervisor is to forward a notice to the City Clerk indicating the name and relationship of the deceased to the employee.

## **Holidays**

CITY OF DORA recognizes the following holidays:

New Year's Day

Martin Luther King Jr.'s Birthday

Good Friday

Memorial Day

Juneteenth

Independence Day

Labor Day

Veteran's Day

Thanksgiving Day

Day after Thanksgiving

Christmas Eve

Christmas Day

When a holiday falls on a Saturday, the holiday shall be observed on Friday. When a holiday falls on Sunday, the holiday shall be observed on the following Monday.

Any employee that recognizes any other holiday than those listed above will be requested to use his/her PTO.

- 1) To receive holiday pay, an employee must be at work or taking an approved absence on the workdays immediately preceding and immediately following the day on which the holiday is observed. An approved absence is a day of

PTO. If an employee is absent on one or both days because of an illness or injury, he/she must produce a doctor's note to be paid for the holiday.

- 2) CITY OF DORA may schedule work on an observed holiday as it considers necessary. Normally, work on an observed holiday will be paid as if the day were a regularly scheduled day. Employees will be given the opportunity to take the holiday at another time within the same pay period. The employee will have the choice to receive holiday pay in addition to their regular pay if required to work on a recognized holiday or take another day off in same pay period as stated above.

There may be typographical errors in this document. The City of Dora reserves the right to correct any typographical errors without harm to the city. All employees will be notified of any corrections.