



Welcome new employee!

On behalf of your colleagues, I welcome you to Perry City, and wish you every success here.

We believe that each employee, because of his or her own unique personality and skills, contributes directly to the growth and success of the Perry City and we hope you will take pride in being a member of our team. We pride ourselves in having an excellent reputation for providing high quality service, however, we also realize that the high quality of service we provide is a result of each and every one of our employees taking pride in their responsibilities and performing them with the utmost of integrity.

Your dignity and that of your fellow employees, as well as that of the members of the public we serve, is important to us, therefore working jointly as a team we strive to make each working day enjoyable and rewarding.

We believe and support an open door policy, where you can approach your supervisor or any member of the administration, to discuss any problems or concerns you may have. We welcome your opinions and your suggestions that will help improve the quality of service Perry City provides to the public and to our employees.

This handbook was developed to describe some of the expectations of our employees and to outline the policies, programs, and benefits available to eligible employees. Perry City reserves the right to make changes to any portion of this handbook, as it deems necessary. Employees will be notified of changes as they are made. Employees should familiarize themselves with the contents of the employee handbook as soon as possible, for it will answer many questions about employment with Perry City.

We hope that your experience here will be challenging, enjoyable, and rewarding. Again, welcome!

Sincerely,

Kevin Jeppsen  
Mayor

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# Introduction

## ***Introductory Statement***

This handbook is designed to acquaint you with Perry City and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. You should read, understand, and comply with all provisions of the handbook. It describes many of your responsibilities as an employee and outlines the programs developed by Perry City to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

No employee handbook can anticipate every circumstance or question about policy. As Perry City continues to grow, the need may arise and Perry City reserves the rights to revise, supplement, or rescind any policies or portion of the handbook from time to time as it deems appropriate, in its sole and absolute discretion. This handbook is not, and shall not be construed as, an explicit or implied contract, shall not modify any existing status of any Perry City employee, and shall not create any due process requirement in excess of federal or state law. Employees will, of course, be notified of such changes to the handbook as they occur.

The provisions of Utah State Code Ann. § 10-3-1101 et seq. as amended, are incorporated herein by reference.

## ***Employee Acknowledgement Form***

The employee handbook describes the policies, practices and benefits of employment with Perry City. I agree to abide by the policies in this handbook and I accept the responsibility for informing myself about these policies and understand that I should consult my supervisor, the City Recorder, or the City Administrator, regarding any questions not answered in the handbook. I have entered into my employment relationship with Perry City voluntarily and acknowledge that there is no specified length of employment.

Since the information in this Personnel Policies and Procedures handbook is necessarily subject to change, I understand that the information that I have received may be changed or replaced by other policies and procedures, which Perry City may adopt in the future. I understand and acknowledge that no one has promised me that Perry City will not change these policies, and understand that Perry City has reserved the right to change these policies in the future.

For Probationary Employees and Exempt Department Heads, I understand and agree that my employment with Perry City may be terminable at-will, meaning that either Perry City or I may terminate the employment relationship at any time for any reason. I understand that neither Perry City nor I have any obligation to base a termination decision on anything other than intent not to continue the employment relationship. No one has promised me that my employment will only be terminated for cause, or only for any particular reason, or will only be terminated through some particular process or procedure above, beyond, or in addition to such due process as may be required by federal or state law.

I understand and agree that unless otherwise listed in a contract approved by the Mayor and Council, no one at Perry City has authority to offer me employment on terms different from what is stated in this handbook, and I understand and agree that no one in Perry City is authorized by Perry City to promise in the future that the terms of my employment will be different from what is stated in this handbook.

EMPLOYEE'S NAME (printed): \_\_\_\_\_

EMPLOYEE'S SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

# Employment

## ***Nature of Employment***

Employment with Perry City is voluntarily entered into, and the employee is free to resign at any time, with or without cause. Policies set forth in this handbook are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between Perry City and any of its employees. The provisions of the handbook have been developed at the discretion of the administration and with the approval of the city council and may be amended or cancelled at any time, at Perry City's discretion.

Employees are responsible for informing themselves about the policies, practices, and benefits set forth in Perry City's handbook by reading them and, if necessary, asking that they be explained to them.

These provisions supersede all existing policies and practices and may not be amended or added to without the express written approval of the Mayor and Perry City Council.

## ***Employee Relations***

Perry City believes that the work conditions, wages, and benefits it offers to its employees are competitive with those offered by other employers in this area and in city government. If employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their supervisors.

Our experience has shown that when employees deal openly and directly with supervisors, the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe that Perry City amply demonstrates its commitment to employees by responding effectively to employee concerns.

## ***Equal Employment Opportunity***

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at Perry City will be based on qualifications and abilities. Perry City does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, national origin, age, disability, or any other characteristic protected by law.

Perry City will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship to the City. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor or the City Administrator. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

## ***Veteran's Bonus for Perry City Employment***

In accordance with Title 71, Chapter 10 of the *Utah Code Ann., 1953, as amended*, Perry City grants a veteran's bonus as part of the initial hiring process with Perry City to each veteran, disabled veteran, or spouse of a veteran or disabled veteran, as specified below. This veteran's bonus does not apply to promotional opportunities.

When a veteran or disabled veteran (or spouse, widow, or widower of a veteran or disabled veteran) applies for a position, he/she will be provided with a “veteran’s bonus,” defined as follows:

- a) If a non-numeric ranking mechanism is used, Perry City will give a veteran’s bonus during the hiring process by extending a first interview.
- b) If a numeric ranking mechanism is used, and the application receives a passing score, Perry City will give a veteran’s bonus during the hiring process by adding to the applicants score as follows:
  - i. Five percent of the total possible score, if the applicant is a veteran (or the spouse, widow, or widower of a veteran); or
  - ii. Ten percent of the total possible score, if the applicant is a disabled veteran (or the spouse, widow, or widower of a disabled veteran).

## ***Ethics and Conduct***

The successful operation and reputation of Perry City is built upon the principles of fair dealing and ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a conscientious regard for the highest standards of conduct and personal integrity.

The continued success of Perry City is dependent upon the trust of the members of the public we serve and we are dedicated to preserving that trust. Employees owe a duty to Perry City and the residents of the city to act in a way that will merit this continued trust and confidence.

Perry City will comply with all applicable laws and regulations and expects its employees to conduct all duties in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct.

In general, the use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct. You are encouraged to openly discuss any situation that arises where it is difficult to determine the proper course of action, openly with your immediate supervisor and, if necessary, with the City Administrator.

Compliance with this policy of ethics and conduct is the responsibility of every Perry City employee. Disregarding or failing to comply with this standard of ethics and conduct could lead to disciplinary action, up to and including termination of employment.

## ***Hiring of Relatives***

The employment of relatives in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried into day-to-day working relationships.

Relatives of persons currently employed by Perry City may be hired only if they will not be working in the same department. Also, they cannot be hired by or report directly to a relative as stated in Utah law prohibiting the employment of relatives. See Utah Code Ann. §§52-3-1 to -4. The City Council of Perry City may make exceptions to this policy as long as such exceptions are in accordance with Utah law.

In other cases where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment or terminated from employment.

For the purposes of this policy, a "relative" means a father, mother, husband, wife, son, daughter, sister, brother, uncle, aunt, nephew, niece, first cousin, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, or daughter-in-law.

## ***Immigration Law Compliance***

Perry City is committed to employing only citizens of the United States and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with Perry City within the past three years, or if their previous I-9 is no longer retained or valid. Employees with questions or seeking more information on immigration law issues are encouraged to contact the City Administrator. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

## ***Conflicts of Interest***

Employees have an obligation to conduct job duties within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which Perry City wishes to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of conduct. Contact the City Administrator for more information or questions about conflicts of interest.

Transactions with outside firms must be conducted within a framework established and controlled by Perry City. Dealings with outside firms should not result in unusual gains for those firms. Unusual gains refer to bribes; product bonuses, special fringe benefits, unusual price breaks, and other windfalls designed to ultimately benefit the employer, the employee, or both. Promotional plans that could be interpreted to involve unusual gains require specific approval.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative of the employee as a result of Perry City's dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to the City Administrator of Perry City as soon as possible the existence of any actual or potential conflict of interest, or the appearance of a conflict of interest, so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which Perry City does business, but also when an employee or relative receives any kickback, bribe, or a substantial gift. Employees are prohibited from soliciting or accepting any gift, gratuity, favor, entertainment, loan or item of monetary value from any person seeking to obtain business with Perry City, or from any person within or outside Perry City employment whose interests may be affected by the employee's performance or nonperformance of official duties. Perry City employees will not accept gifts or gratuities except under circumstances or within the limitations allowed by the Utah Public Offices' and Employees' Ethics Act. See Utah Code Ann. §§67-16-1 to -14.

## ***Outside Employment***

Employees may hold outside jobs as long as they meet the performance standards of their job with Perry



City. All employees will be judged by the same performance standards and will be subject to Perry City's scheduling demands, regardless of any existing outside work requirements.

If Perry City determines that an employee's outside work interferes with performance or the ability to meet the requirements of Perry City as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain employed with Perry City.

Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals outside Perry City for materials produced or services rendered while performing their jobs for Perry City.

Employees are required to provide written notification to the City Administrator or the Mayor using the Employee's Notice of Secondary Employment, before starting any secondary or outside employment. The City Administrator must give written notice to the Mayor and City Council before any secondary or outside employment.

### ***Confidentiality***

Employees have an unquestionable right to expect all personal information about themselves, their medical conditions, their family and financial circumstances to be kept confidential. Every employee has an obligation to protect this confidence when knowledge of other employees' personal information is necessary. Never discuss personal confidential information with others who are not authorized to receive it, either inside or outside the office.

Employees involved with information of significant public interest may not use this privileged information for personal gain, nor to benefit friends or acquaintances. If an employee has an outside interest which could be affected by any Perry City plan or activity, this situation must be reported to the City Administrator immediately. Each employee is charged with the responsibility of ensuring only information that should be made available to the general public is released as defined in the Government Records Access and Management Act. Violation of these provisions regarding privileged information or use for private gain shall be cause for disciplinary action up to and including termination and legal action, even if the employee does not actually benefit from the disclosed information.

### ***Disability Accommodation***

Perry City is committed to complying fully with the Americans with Disabilities Act (ADA) and other laws ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis.

Hiring procedures have been reviewed and provide persons with disabilities meaningful employment opportunities. Pre-employment inquiries are made only regarding an applicant's ability to perform the essential duties of the position.

Reasonable accommodation is available to all disabled employees, where their disability affects the performance of job functions and does not cause an undue burden to the City. All employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual.

Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as in job assignments, classifications, organizational structures, position descriptions, lines of progression and seniority lists. Leave of all types will be available to all employees on an equal basis.

Perry City is also committed to not discriminating against any qualified employees or applicants because they are related to or associated with a person with a disability. Perry City will follow any state or local law that provides individuals with disabilities greater protection than the ADA.

This policy is neither exhaustive nor exclusive. Perry City is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state, and local laws.

### ***Job Posting and Employee Referrals***

Perry City provides employees an opportunity to indicate their interest in open positions and advance within the organization according to their skills and experience. In general, notices of all regular, full-time job openings are posted, although Perry City reserves its discretionary right to not post a particular opening.

Job openings will be posted at the Perry City Offices and through the Box Elder News Journal (if accepting external applicants). Each job posting notice will include the dates of the posting period, job title, department, location, grade level or pay range, job summary, essential duties, and qualifications (required skills and abilities). Preference in hiring may be given to Perry City residents.

The head of each City department or division shall be the hiring authority for the employees in that department or division, with notification to the Mayor and City Council and recommendation regarding pay rate. In an emergency, to prevent undue delay or serious interference with the provision of vital City services, the Mayor may make an emergency appointment for a period not to exceed thirty calendar days.

To be eligible to apply for a job posted internally, employees must have performed competently for at least six calendar months in their current position and have permission from their current supervisor. Employees who have a written warning on file, or are on probation or suspension are not eligible to apply for posted jobs. Eligible employees can only apply for those posted jobs for which they possess the required skills, competencies, and qualifications.

To apply for an open position, employees should submit a job posting application to the head of the requesting department, listing his or her job-related skills and accomplishments. They should also describe how their current experience with Perry City and prior work experience and/or education qualifies them for the position.

Perry City recognizes the benefit of developmental experiences and encourages employees to talk with their supervisors about their career plans. Supervisors are encouraged to support employees' efforts to gain experience and advance within the City.

An applicant's supervisor may be contacted to verify performance, skills, and attendance. Any staffing limitations or other circumstances that might affect a prospective transfer may also be discussed.

Job posting is a way to inform employees of openings and to identify qualified and interested applicants who might not otherwise be known to the hiring manager. Other recruiting sources may also be used to fill open positions in the best interest of the City.

Perry City also encourages employees to identify friends or acquaintances who are interested in employment opportunities and to refer qualified outside applicants for posted jobs. Employees should obtain permission from the individual before making a referral, share their knowledge of Perry City, but may not make commitments or oral promises of employment.

An employee should submit the referral's resume and/or completed application form to the head of the requesting department for a posted job. If the person being referred is interviewed, the referring employee will be notified of the initial interview and the final selection decision.

## Employment Status and Records

### ***Employment Categories***

It is the intent of Perry City to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Perry City will pay at least minimum wages and overtime to all employees except those who are specifically exempt from minimum wage and overtime under the Fair Labor Standards Act (FLSA). Perry City will also provide equal pay to all employees doing similar work which requires substantially equal skill, effort, and responsibility and are performed under similar working conditions in accordance with the FLSA and the Equal Pay Act.

Each employee is designated as either NONEXEMPT or EXEMPT from federal and state wage and hour laws. NONEXEMPT employees are entitled to overtime pay under the specific provisions of federal and state laws. EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws. An employee's EXEMPT or NONEXEMPT classification may be changed only upon written notification by Mayor and City Council.

In addition to the above categories, each employee will belong to one other employment category:

**INTRODUCTORY** employees are those whose performance is being evaluated to determine whether further employment in a specific position or with Perry City is appropriate. Perry City's introductory period is for 12 months and may be extended up to a maximum of 24 months if the employee's supervisor feels it necessary. Employees who satisfactorily complete the introductory period will be notified of their new employment classification. Probationary employees of Perry City may be terminated at-will, meaning that the City or the employee may terminate the employment relationship at any time for any or no reason.

**REGULAR FULL-TIME** employees are those who are not in a seasonal or introductory status and who are regularly scheduled to work 35 hours or more per week according to Perry City's full-time schedule. Generally, they are eligible for Perry City's full benefit package, subject to the terms, conditions, and limitations of each benefit program and subject to the employee's financial participation in certain benefits.

**REGULAR PART-TIME** employees are those who are not assigned to a temporary or introductory status and who are regularly scheduled to work less than 35 hours per week. While regular part-time employees receive all legally mandated benefits (such as workers' compensation insurance and Social Security), they are ineligible for all of Perry City's other benefit programs. **PART-TIME INELIGIBLE FOR RETIREMENT** employees are those in an elected or an appointed position of which are not eligible for retirement benefits. Other benefits (based on position) may be offered to these employees, if adopted by City Ordinance.

**SEASONAL and TEMPORARY** employees are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Temporary employees either on an as needed basis or a temporary on-going basis retain that status unless and until notified of a change. While temporary employees receive all legally mandated benefits (such as workers' compensation insurance and Social Security), they are ineligible for all of Perry City's other benefit programs.

When an employee changes from a Seasonal/Temporary or regular part-time employment to full-time employment the employee is subject to a new 12 month introductory period for that position.

When a new position is created, the department or division superintendent shall send the City Administrator a request for classification of the position with a description of the applicable duties and responsibilities to be assigned to the position. The City Administrator shall then create a formal job description for the position, after analysis and evaluation of the duties and responsibilities. The new position must be approved by the City Council.

When the assignment of an employee has changed substantially as to kind and/or level of work, the department head shall initiate a request for change in classification. Such request should be submitted in writing to the City Administrator, accompanied by a position description prepared by the department or division head and a written description of the reasons for the change in classification. Reclassification will be subject to budgetary limitations.

If the Mayor determines that the position has changed sufficiently, he will recommend reclassification to the City Council. If the City Administrator recommends that a reclassification is not justifiable, his decision may be appealed to the City Council. If the appeal is denied, no similar request may be submitted within six (6) months.

### ***Access to Personnel Files***

Perry City maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance appraisals and salary increases, and other employment records. All information in the personnel file will remain in the file and is not allowed to be removed for any reason.

Personnel files are the property of Perry City, and access to the information they contain is restricted. Generally, only supervisors and management personnel of Perry City who have a legitimate reason to review information in a file are allowed to do so.

Employees who wish to review their own file should contact the City Recorder. With reasonable advance notice, employees may review their own personnel files in Perry City's offices and in the presence of an individual appointed by Perry City to maintain the files and may make copies of certain documents where permitted by law.

### ***Employment Reference Checks***

To ensure that individuals who join Perry City are well-qualified and have a strong potential to be productive and successful, it is the policy of Perry City to check the employment references and to complete a criminal background checks of all applicants.

Only authorized Perry City personnel will respond in writing only to those reference check inquiries that are submitted in writing and have the former employee's authorized signature giving permission to release the information. Responses to such inquiries will confirm only dates of employment, wage rates, and position(s) held. No employment data will be released without a written authorization and release signed by the individual who is the subject of the inquiry.

### ***Personnel Data Changes***

It is the responsibility of each employee to promptly notify Perry City of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishments, and other such status reports should be accurate and current at all times. If any personnel data has changed, notify the Payroll Clerk.

## ***Introductory Period***

The introductory period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. Perry City uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or Perry City may end the employment relationship at any time during the introductory period, with or without cause or advance notice.

All new, rehired employees, and employees who may change status (i.e., change from seasonal/temporary or regular part-time to full-time status) work on an introductory basis of a minimum of 12 months up to a maximum of 24 months after their date of hire or change of status. For sworn police officers, the introductory period will be 90 days after graduation from P.O.S.T. Academy and completion of the 12-24 month introductory period. Any significant absence will automatically extend an introductory period by the length of the absence. If Perry City determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period may be extended at the supervisor's or department head's discretion for a specified period.

Upon satisfactory completion of the introductory period, the department or division head shall submit in writing an evaluation and recommendation for the employee to enter the "regular" employment classification.

During the introductory period, employees are generally eligible for Perry City's benefit package, subject to the terms, conditions, and limitations of each benefit program. They are also eligible for those benefits that are required by law, such as workers' compensation insurance and Social Security.

## ***Employment Applications***

Perry City relies on the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in Perry City's exclusion of the individual from further consideration for employment or, if the person has been hired, will constitute grounds for the immediate termination of employment.

## ***Performance Evaluation***

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Formal performance evaluations are conducted at the end of an employee's initial period in any new position. This period, known as the introductory period, allows the supervisor and the employee to discuss the job responsibilities, standards, and performance requirements of the new position. Additional formal performance evaluations are conducted to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

The performance of all employees is generally evaluated according to an ongoing 12-month cycle every April. However, some departments may elect to evaluate the performance of their employees on a quarterly basis.

These evaluations will be used to: (1) improve employee effectiveness; (2) assess training needs and plan training activities; and (3) evaluate possible promotions, separations, salary advancements, and other personnel actions.

# Employee Benefit Programs

## ***Employee Benefits***

Eligible employees at Perry City are provided a wide range of benefits. A number of the programs (such as Social Security, workers' compensation, state disability and unemployment insurance) cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee classification. Your supervisor or the Payroll Clerk can identify the programs for which you are eligible. Details of many of these programs can be found elsewhere in the employee handbook.

Part-Time Employees who completed their probationary period before September 1, 2007 will be grandfathered in on the previous eligibility requirements, unless the employee elects the current City Benefits. All employees hired after this date should contact the Payroll Clerk for current plan details and eligibility requirements.

On June 28, 2018 the Perry City Council approved by Ordinance 18-D, granting the elected position of Mayor, benefits limited to Medical and Dental benefits.

The following benefit programs are currently available to Full-time employees:

- 401(k) Savings Plan through Utah Retirement Systems
- Benefit Conversion at Termination {COBRA}
- Bereavement Leave
- Cafeteria Plan, including flexible spending for health care and dependent care expenses
- Dental Insurance
- Holidays
- Jury Duty Leave
- Life Insurance
- Medical Insurance
- Military Leave
- Paid Time Off (PTO)
- Supplemental Life Insurance
- Vision Care Insurance
- Home Owners Insurance
- Pre-paid Legal Insurance

Only Regular Full-Time, Introductory Full-Time, and Grandfathered Part-Time (as defined above) Perry City employees are eligible for Perry City's full benefits package of, Life Insurance, Health Insurance, Dental Insurance, Vision Insurance, Flexible Spending Accounts, paid vacation, and holidays. All benefits listed in this policy are subject to change.

## ***Perry City's Health Plan***

Perry City's health plan and contributions are subject to insurance coverage costs and budget limitations and are subject to change depending on these factors. The below explains the current plan details.

Perry City will be using a health program approved by the Mayor and Council at the beginning of each benefit year for additional questions regarding the plan or doctors on the plan see the Payroll Clerk.

Perry City's health plan provides employees and their dependents access to medical care benefits. Eligible employees may participate in the health plan subject to all terms and conditions of the agreement between Perry City and the benefit provider.

A change in employment classification that would result in loss of eligibility to participate in the health plan may qualify an employee for benefits continuation under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Refer to the Benefits Continuation (COBRA) policy or contact the benefit provider for more information.

Details of the health plan are described in the Summary Plan Description (SPD). An SPD and information will be provided in advance of enrollment to eligible employees. Contact the Payroll Clerk for more information about health plan benefits and the Perry City's contributions.

## ***Perry City's Dental Plan***

Perry City's dental plan and contributions are subject to insurance coverage costs and budget limitations and are subject to change depending on these factors. The below explains the current plan details.

Perry City will be using a dental program approved by the Mayor and Council at the beginning of each benefit year. Please review detailed plan description booklets for more information. If you have additional questions regarding the plan or dentists on the plan see the Payroll Clerk.

## ***Benefits Continuation (COBRA)***

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health coverage under Perry City's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at Perry City's group rates plus an administration fee of 2%. The benefit provider will provide each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under Perry City's health insurance plan. The notice contains important information about the employee's rights and obligations.

## ***Life Insurance***

Life insurance offers you and your family important financial protection. Perry City provides a basic life insurance plan for eligible employees paid for by Perry City. Accidental Death and Dismemberment (AD&D) insurance provides protection in cases of serious injury or death resulting from an accident. AD&D insurance coverage is provided as part of the basic life insurance plan.

Employees in the following employment classifications are eligible to participate in the life insurance plan:

- Regular Full-Time employees
- Introductory Full-Time employees
- Grandfathered Part-Time employees

Eligible employees may participate in the life insurance plan subject to all terms and conditions of the agreement between Perry City and the insurance carrier.

Details of the basic life insurance plan including benefit amounts are described in the Summary Plan Description provided to eligible employees. Contact the Payroll Clerk for more information about life insurance benefits.

### ***401k and other Retirement Plans***

Retirement Benefit. The Retirement Benefit shall be a benefit as outlined by the Utah State Retirement System (URS), and shall be provided under the rules and regulations of the URS. The City shall make the required payments in the percentage and the term as required for each eligible employee. An eligible employee is defined by URS as one who works 20 or more hours per week and receives any other benefit including any elected or appointed officials. Tier 2 Mayor and Council are designated as part-time ineligible for retirement.

The City shall ensure that employees covered under this benefit receive training, to be able to use their retirement account to its fullest extent.

401k. The City has outlined benefits in regards to 401k into two groups: Public Safety and Non Public Safety. When a Non-Public Safety employee contributes 4% of their salary into a 401(k) account with URS, the City will match the contribution with a contribution equal to 2% of the employee's salary. The City does not provide any match to contributions made by Public Safety employees into 401 (k) accounts.

Other URS Programs. The City will not match any employee contributions, but will allow them to take advantage of other employee contribution programs including but not limited to 457 (b), Roth and Traditional IRA, and employee loans on personal 401(k) and 457 accounts within the Utah Retirement System.

Any Tier 1 or 2 eligible appointed or elected official may request to exempt from the URS system as allowed under Utah State Code 49-13-203(5) and current procedures specified in URS policy regarding exemptions and Tier 1 and Tier 2 public employee eligibility. The following positions may be exempted from participating in the Utah Retirement Systems:

- Elected Officials
- Appointed Officials



## **Vacation Benefits**

Vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Employees in the following employment classification(s) are eligible to earn and use vacation time as described in this policy:

- Regular Full-Time employees
- Introductory Full-Time employees
- Grandfathered Part-Time (Eligible for 50% of Full-Time Benefit)

The amount of paid vacation time employees receive each year increases with the length of their employment as shown in the following schedule:

### **VACATION SCHEDULE**

<b>Full-Time Employees</b>			
<b>Years Employed</b>	<b>Hours Accrued Per Pay Period</b>	<b>Hours Accrued Per Year</b>	<b>Days Accrued Per Year</b>
*0-1 year	2	52	6.5
1-9 years	4	104	13
10-14 years	5.5	144	18
15+	6.5	168	21

\*Introductory period

The length of eligible service is calculated on the basis of a “calendar year”. This is the 12-month period that begins when the employee begins to earn vacation time and ends every December 31<sup>st</sup>. An employee's benefit year may be extended for any significant leave of absence except military leave of absence. Military leave has no effect on this calculation. (See individual leave of absence policies for more information.)

Once employees enter an eligible employment classification, they begin to earn paid vacation time according to the schedule. Vacation time can be used, on the 1<sup>st</sup> of the month following 30 days of employment, or upon entering an eligible employment classification. Employees can request use of earned vacation time including that accrued during the waiting period.

Paid vacation time can be used in minimum increments of one-half hour per day. To take vacation, employees generally must request approval from their supervisors at least 48 hours in advance. Requests will be reviewed based on a number of factors, including city needs and staffing requirements.

In order to meet staffing requirements departments will need at least 2 employees scheduled to work simultaneously during operating hours. Vacation approval will be limited to this staffing requirement. Any exceptions will require approval from the Mayor.

Vacation time off is paid at the employee's base pay rate at the time of vacation. It does not include overtime or any special forms of compensation such as incentives, commissions, bonuses, or shift differentials.

As stated above, employees are encouraged to use available paid vacation time for rest, relaxation, and

personal pursuits. In the event that available vacation is not used by the end of the calendar year, December 31st, employees may carry over up to 150% of their accrued benefit hours. For example if you have been with the City for 2 years you can carry over up to 156 hours, if you have been with the City for 11 years you can carry over up to 216 hours (see following matrix). Any accrued annual leave in excess of 150% of your current benefit accrual shall be forfeited on January 1<sup>st</sup> of any given year. Upon Separation of employment, employees will be paid for unused vacation time that has been earned through the last day of work.

**VACATION CARRY OVER MATRIX**

<b>Full-Time Employees</b>			
<b>Years Employed</b>	<b>Hours Accrued Per Year</b>	<b>Days Accrued Per Year</b>	<b>Hours allowed to Carry Over (150%)</b>
0-1 year	52	6.5	52*
1-9 years	104	13	156
10-14 years	144	18	216
15+	168	21	252

\*First year only 52 hours possible

## **Holidays**

Perry City will grant 12 paid holidays to all Regular and Introductory Full-time employees. 10 regular set holidays and 2 floating holidays that will be pre-determined by administration at the beginning of the year. The set holidays are listed below:

New Year's Day  
Dr. Martin Luther King, Jr. Day  
President's Day  
Memorial Day  
Independence Day  
Labor Day  
Veteran's Day  
Thanksgiving  
Day after Thanksgiving  
Christmas

Perry City will grant paid holiday time off to all eligible employees on the 1<sup>st</sup> of the month following 30 days of employment. Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) times the number of hours the employee would otherwise have worked on that day. Eligible employee classification(s):

- Regular Full-Time employees
- Introductory Full-Time employees

A recognized holiday that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday.

If a recognized holiday falls during an eligible employee's regular time off, the holiday time will be given to the employee as a floating holiday to be used within 1 month of the time being earned. Public Safety employees may be paid this time at a straight rate to reduce overtime due to the 24/7 coverage requirements.

If eligible nonexempt employees work on a recognized holiday, they will receive pay for the holiday as detailed above, and pay for hours worked on the holiday at 1 and ½ times their normal hourly rate. Exempt employees will receive pay for the holiday and compensatory time at 1 and ½ times their normal rate for hours worked on the holiday. However, employees must have written authorization from their immediate supervisor prior to working on a holiday.

Paid time off for holidays will not be counted as hours worked for the purposes of determining overtime.

## **Sick Leave Benefits**

Perry City provides paid sick leave benefits to all eligible employees for periods of temporary absence due to illnesses or injuries. Eligible employee classification(s):

- Regular Full-Time Employees
- Introductory Full-Time employees
- Grandfathered Part-Time employees (Eligible for 50% of Full-Time Benefit)

Eligible employees will accrue sick leave benefits as follows:

<b>SICK LEAVE</b>				
<b>Eligible</b>	<b>Accrual Hours Per Pay Period</b>	<b>Hours Accrued Per Year</b>	<b>Days Accrued Per Year</b>	<b>Maximum Annual Accrual</b>
Regular/Introductory Full-Time Employees	2	52	6.5	480 hours

Sick leave benefits are calculated on the basis of a "benefit year," the 12-month period that begins when the employee starts to earn sick leave benefits.

Employees can request use of paid sick leave on the first of the month following 30 days of employment. Paid sick leave can be used in minimum increments of one hour. Eligible employees may use sick leave benefits for an absence due to their own illness, injury, or to take care of a sick family member.

Employees who are unable to report to work due to illness or injury should notify their direct supervisor before the scheduled start of their workday, if possible. The direct supervisor must also be contacted on each additional day of absence. The department head may ask for a doctor's note following three consecutive days of sick leave and employee is required to provide such note.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials. As an additional condition of eligibility for sick leave benefits, an employee on an extended absence must apply for any other available compensation and benefits, such as workers' compensation. Sick leave benefits will be used to supplement any payments that an employee is eligible to receive from state disability insurance, workers' compensation, or City-provided disability insurance programs if available and if offered by the city. The combination of any such disability payments and sick leave benefits cannot exceed the employee's normal weekly earnings.

Unused sick leave benefits will be allowed to accumulate until the employee has accrued a total of 480 hours or 12 weeks worth of sick leave benefits. If the employee's benefits reach this maximum, further accrual of sick leave benefits will be suspended until the employee has reduced the balance below the limit. Unused sick leave may be converted into vacation leave at a rate of three hours of sick leave for each hour of vacation with a maximum conversion of 36 hours of sick leave to 12 hours of vacation leave. The conversion of hours must be approved by the Mayor.

Sick leave benefits are intended solely to provide income protection in the event of illness or injury, and may not be used for any other absence. Unused sick leave benefits will not be paid to employees while they are employed or upon termination of employment.

If an employee is separated and has unused accrued sick leave, they will not be compensated for the unused sick leave.

Perry City realizes that employees with contagious temporary illnesses, such as influenza, colds, and other viruses, need to continue with normal life activities, including working. In deciding whether an employee with an apparently short-term contagious illness may continue to work, the City considers several factors. The employee must be able to perform normal job duties and meet regular performance standards. In the judgment of the employer, the employee's continued presence must pose no risk to the health of the employee, other employees and customers. If an employee disputes the company's determination that such a risk exists, the employee must submit a statement from his or her attending health care provider that the employee's presence in the workplace poses no significant risk to the employee, other employees, or customers.

Supervisors are encouraged to remind employees that the company provides paid sick leave to cover absences due to contagious temporary illnesses. All employees are urged to contact Human Resources regarding any questions about the possible contagious nature of another employee's temporary illness.

## ***Leave Sharing / Donation***

Perry City recognizes that employees may have family medical emergency or be affected by a major disaster, resulting in a need for additional time off in excess of their available sick and vacation leave. To address this need, all eligible employees will be allowed to donate accrued paid vacation leave hours from their unused balance to their co-workers in need of additional paid time off, in accordance with the policy outlined below. This policy is strictly voluntary.

### **Eligibility**

Employee must be employed with Perry City for a minimum of 1 year to be eligible to donate and/or receive donated vacation time and must have approval from their Department Head to receive donated time.

### **Guidelines**

Employees who would like to make a request to receive donated vacation leave from their co-workers must have a situation that meets the following criteria:

- **Medical Emergency**, defined as a medical condition of the employee or an immediate family member that will require the prolonged/extended absence of the employee from duty and will result in a substantial loss of income to the employee due to the exhaustion of all paid leave available. The employee must provide written documentation of the medical emergency from a doctor and supply ongoing documentation if use of the donated time is granted. An immediate family member is defined as spouse, child, or parent.
- **Major Disaster**, defined as a disaster declared by the president under §401 Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Stafford Act), or as a major disaster or emergency declared by the president pursuant to 5 U.S.C. §6391 for federal government agencies. An employee is considered to be adversely affected by a major disaster if the disaster has caused severe hardship to the employee or to an immediate family member of the employee that requires the employee to be absent from work.

### **Donation of Vacation Time**

- The donation of vacation time is strictly voluntary
- Donated vacation time will go into a leave bank for use by eligible recipients
- Donated vacation time is on an hourly basis, without regard to the dollar value of the donated or used leave.
- Employees donating vacation time must maintain at least 50% of their vacation balance and no less than 40 hours.
- Employees cannot borrow against future vacation time to donate.
- Employees who are currently on an approved leave of absence cannot donate vacation time.
- Employees wishing to receive or donate time must complete a leave donation form.
- Employee receiving donated hours must exhaust all of his or her own leave time prior to utilizing donated time.
- Recipient's identity will not be disclosed to donating employees (when leave sharing initiated by recipient, or administration)
- Any unused hours will be returned to the employees that have donated hours based on the percentage of the total pool that they contributed.

## ***Workers' Compensation Insurance***

Perry City provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

Employees who sustain work-related injuries or illnesses should inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible.

Neither Perry City nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by Perry City.

## **Employee Compensation**

### ***Salary Schedule***

Perry City's Salary Schedule and Performance Guidelines are detailed in Appendix A - Departmental Pay Matrixes. The Salary schedule for each position at Perry City is based on the level of qualifications that the position is assigned to, the work experience of the employee, and the employee's performance. Each employee is eligible for performance-based raises that are made effective starting the pay period which includes July 1<sup>st</sup>.

Your performance is generally evaluated according to an ongoing 12-month cycle, each April. However, your department may be directed to evaluate your performance on a quarterly basis.

## **Timekeeping/Payroll**

### ***Timekeeping***

Accurately recording time worked is the responsibility of every nonexempt employee. Federal and state laws require Perry City to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Nonexempt employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each unpaid meal period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. Overtime work must always be approved by the direct supervisor before it is performed.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

It is the employee's responsibility to sign their time records to certify the accuracy of all time recorded. The supervisor will review and then initial the time record before submitting it for payroll processing. In addition, if corrections or modifications are made to the time record, both the employee and the supervisor must verify the accuracy of the changes by initialing the time record.

### ***Work Hours***

Regular prompt attendance at work is required of all employees. The normal work day for a full-time employee shall be eight (8) hours and the normal work week forty (40) hours, except for departments

approved for alternate work schedules i.e. 9/80 Alternate Work Schedule. The workday for public safety employees shall be determined by the needs of providing twenty-four hour a day service to the community.

Hours reported on timecards exceeding forty (40) in a 1 week period or eighty (80) in a 2 week period must be hours worked and should be approved by the Mayor prior to work being performed. The Mayor and/or City Administrator may also approve overtime for non-public safety employees. The Chief of Police may approve up to 5% overtime per month for public safety employees, hours beyond 5% must be approved by the Mayor. See the *Overtime/Compensatory Time* section of this policy for rules regarding how overtime or compensatory time is calculated.

## ***Paydays***

All employees are paid biweekly on every other Friday. Each paycheck will include earnings for all work performed through the end of the previous payroll period.

In the event that a regularly scheduled payday falls on a day off such as a weekend or holiday, employees will receive pay on the last day of work before the regularly scheduled payday.

If a regular payday falls during an employee's vacation, the employee's paycheck or statement of wages will be available upon his or her return from vacation.

Employees may have pay directly deposited into their bank accounts if they provide advance written authorization to Perry City. Employees will receive an itemized statement of wages when Perry City makes direct deposits.

## ***Administrative Pay Corrections***

Perry City takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Payroll Department so that corrections can be made as quickly as possible.

## ***Pay Deductions and Setoffs***

The law requires that Perry City make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. Perry City also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base." Perry City matches the amount of Social Security taxes paid by each employee.

Perry City offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs.

Pay setoffs are pay deductions taken by Perry City, usually to help pay off a debt or obligation to Perry City or others.

If you have questions concerning why deductions were made from your paycheck or how they were calculated, your supervisor can assist in having your questions answered.

## ***Circumstances in Which Perry City May Make Deductions from Pay from an Exempt Employee***

Deductions from pay are permissible when an exempt employee: is absent from work for one or more full days for personal reasons other than sickness or disability; for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness; to offset amounts employees receive as jury or witness fees, or for military pay; or for unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions. Also, Perry City is not required to pay the full salary in the initial or terminal week of employment; for penalties imposed in good faith for infractions of safety rules of major significance, or for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act. In these circumstances, either partial day or full day deductions may be made.

### ***What To Do If An Improper Deduction Occurs***

If you believe that an improper deduction has been made to your salary, you should immediately report this information to your department head, or to the Payroll Clerk.

Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made.

### ***Employment Termination***

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

- Resignation - voluntary employment termination initiated by an employee.
- Discharge - involuntary employment termination initiated by the organization.
- Layoff - involuntary employment termination initiated by the organization for non-disciplinary reasons.
- Retirement - voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from the organization.

Perry City will generally schedule exit interviews at the time of employment termination. The exit interview will afford an opportunity to discuss such issues as employee benefits, conversion privileges, repayment of outstanding debts to Perry City, or return of Perry City-owned property. Suggestions, complaints, and questions can also be voiced.

Employees will receive their final pay in accordance with applicable state law. Employee benefits will be affected by employment termination in the following manner. All accrued, vested benefits that are due and payable at termination will be paid. Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

### ***Policy***

It is our policy to comply with the salary basis requirements of the FLSA. Therefore, we prohibit all City supervisors or Department Heads from making any improper deductions from the salaries of exempt employees. We want employees to be aware of this policy and that Perry City does not allow deductions that violate the FLSA.



# **Work Conditions and Hours**

## ***Safety***

To assist in providing a safe and healthful work environment for employees, customers, and visitors, the City has established a workplace safety program. This program is a top priority for Perry City. The Perry City Risk Management Department has responsibility for implementing, administering, monitoring, and evaluating the safety program. Its success depends on the alertness and personal commitment of all employees.

Perry City provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings, bulletin board postings, memos, or other written communications.

Employees and supervisors receive periodic workplace safety training. The training covers potential safety and health hazards and safe work practices and procedures to eliminate or minimize hazards.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees are required to immediately notify their supervisor. The supervisor is required to notify Perry City Risk Management Specialist within 24 hours. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures.

## ***Use of Equipment***

Equipment essential in accomplishing job duties is often expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Please notify the supervisor if any equipment, machines, or tools appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment used on the job.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment can result in disciplinary action, up to and including termination of employment.

## ***Personal Use of City Property***

The City recognizes the benefits to the community when officers and employees are able to use City property for incidental or personal use in addition to the primary use of fulfilling official duties. To enable officers and employees to continue to use their issued equipment in a manner that best serves the public, officers are authorized to use or possess any City property issued to them for any incidental or personal use, so long as the property is used in a lawful manner. This policy presumes that any public property issued to an officer or employee is properly in that officer's possession and that the officer's use or possession of said property is to fulfill their duties as a public servant. This policy also presumes that incidental or personal use or possession

of public property by the officer is authorized by this policy. This policy is enacted to minimize criminal exposure for the lawful use of City property by officers or employees under Utah Code Annotated §76-8-402.

### ***Use of Phone and Mail Systems***

Personal use of the telephone for long-distance and toll calls is not permitted. Employees should practice discretion when making local personal calls and may be required to reimburse Perry City for any charges resulting from their personal use of the telephone.

The use of Perry City-paid postage for personal correspondence is not permitted.

To ensure effective telephone communications, employees should always use the approved greeting and speak in a courteous and professional manner. Please confirm information received from the caller, and hang up only after the caller has done so.

### ***Use of Tobacco Products, Electronic Cigarettes or Like Devices***

In keeping with Perry City's intent to provide a safe and healthful work environment, and to comply with the Utah Clean Air Act, use of tobacco, electronic cigarettes, or any like devices used for the intake of nicotine is prohibited throughout the workplace, in all City facilities or vehicles, within 50 feet of any building entrance, and within 50 feet of any ventilation ducts.

This policy applies equally to all employees and visitors.

### ***Work Schedules***

Work schedules for employees vary throughout our organization. Supervisors will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

Flexible scheduling, or flextime, is available in some cases to allow employees to vary their starting and ending times each day within established limits. Flextime may be possible if a mutually workable schedule can be negotiated with the supervisor involved. However, such issues as staffing needs, the employee's performance, and the nature of the job will be considered before approval of flextime. Employees should consult their supervisor to request participation in the flextime program.

### ***Rest and Meal Periods***

Perry City follows the current state and federal laws for rest and meal periods. Supervisors will advise employees of the regular rest period length and schedule.

Except for Public Safety employees or as otherwise required by law, rest breaks of short duration, usually 15 minutes, are considered hours worked and should be compensated. Meal periods, typically 30 - 60 minutes, generally need not be compensated provided the employee is completely relieved from duty for the purpose of eating. The rest break is paid work time, while the meal period is unpaid time provided during the 30 minutes or more.

Each workday, full-time nonexempt employees are provided with two rest periods, part-time employees are provided with one rest period. Supervisors will advise employees of the regular rest period length and schedule. To the extent possible, rest periods will be provided in the middle of work periods. Since this time is counted and paid as time worked, employees must not be absent from their workstations beyond the allotted rest period time.

All full-time employees are provided with one unpaid meal period each workday. Part-time employees working at least 4 hours a day may request a scheduled unpaid meal period not to exceed 30 minutes each work day. Supervisors will schedule meal periods to accommodate operating requirements. Employees will be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time.

Perry City encourages team and morale building through occasional Recognition Luncheons. Employees participating in these lunches will only be expected to use 30 minutes of their allowed unpaid meal period to attend the event, no matter the length of the event and if desired can use the remaining 30 minutes of their meal period at some point during the remainder of that work day.

Employees may not accumulate break periods or combine them with lunch breaks, or take them at the beginning of the day so as to arrive late for work, or use them at the end of the day so as to leave work early. If an employee chooses to not take a break, no additional compensation will be given.

### ***Overtime/Compensation Time***

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work must have signed authorization from both the department head and the City Administrator or Mayor prior to any overtime worked. The Chief of Police can approve up to 5% overtime per month for public safety employees, overtime hours beyond 5% must be approved by the Mayor. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

Overtime compensation is paid or given as compensatory time to all nonexempt employees in accordance with federal and state wage and hour restrictions. Overtime pay is based on actual hours worked. Time off on sick leave, vacation leave, guaranteed show-up time in certain situations, or any leave of absence will not be considered hours worked for purposes of performing overtime calculations.

Compensatory time is paid time off the job which is earned and accrued by an employee in lieu of immediate cash payment for overtime hours worked at a rate of time-and-one-half of hours worked as required by the Fair Labor Standards Act. Perry City prefers that employees required to work overtime elect to take compensatory time. Upon Perry City's fiscal year end, June 30<sup>th</sup>, all but 40 hours of unused accrued compensatory time will be paid out to the employee at the required overtime rate.

Perry City follows the Fair Labor Standards Act for all overtime calculations and compensation, including exceptions for law enforcement and fire protection employees. For law enforcement employees, overtime hours are any hours worked over 171 hours during a 28-day period. Fire Protection employees are due overtime for any hours worked over 212 hours during a 28-day period.

Employees may be subject to disciplinary action, up to and including possible termination of employment for working overtime without receiving prior authorization from their supervisor.

### ***On Call or Standby Duties***

Perry City may need employees to be on call or standby to help with emergency situations. While the employee is on call or standby, they can use their time freely, and are not performing a specific assigned task they just need to be available by phone or pager to respond to Perry City needs within 15 minutes, unless otherwise approved by the Mayor.

Perry City offers on call or standby compensation. Employees on call will be paid one hour per day, up to 4 hours per week of on call duty at their regular rate of pay. If the employee is called to duty, they will receive their on call pay and their regular rate of pay for all time that work was actually performed.

Overtime pay will not apply to on call wages if the employee did not actually perform work.

## ***Emergency Closings***

At times, emergencies such as severe weather, fires, power failures, or earthquakes, can disrupt Perry City operations. In extreme cases, these circumstances may require the closing of a work facility. This will be officially announced by the Mayor or the City Administrator as authorized by the Mayor.

When operations are officially closed due to emergency conditions, the time off from scheduled work will be unpaid. However, with supervisory approval, employees may use available paid leave time, such as unused vacation benefits.

In cases where an emergency closing is not authorized, employees who fail to report for work will not be paid for the time off. Employees may request available paid leave time such as unused vacation benefits.

Employees in essential operations may be asked to work on a day when operations are officially closed. In these circumstances, employees who work will receive regular pay.

## ***Travel Expenses***

Perry City will reimburse employees for reasonable travel expenses incurred while on assignments away from the normal work location. These expenses will be reimbursed at the IRS standard Per Diem and Mileage rates. Your department head and the city administrator (or Mayor) must approve all travel in advance. Employees whose travel plans have been approved should make all travel arrangements through Perry City or a designated travel agency.

When approved, the actual costs of travel, meals, lodging, and other expenses directly related to accomplishing travel objectives will be reimbursed by Perry City. Employees are expected to limit expenses to reasonable amounts.

<b>IRS PER DIEM BREAK DOWN</b>	
<b>Expense Type</b>	<b>% of Per Diem</b>
Breakfast	15%
Lunch	24%
Dinner	43%
Sundries	18%

Expenses that generally will be reimbursed include the following:

- Airfare or train fare for travel in coach or economy class or the lowest available fare.
- Car rental fees, only for compact or mid-sized cars.
- Fares for shuttle or airport bus service, where available; costs of public transportation for other ground travel.
- Taxi fares, only when there is no less expensive alternative.
- Mileage costs for use of personal cars, only when less expensive transportation is not available.
  - Mileage costs will be reimbursed at the current IRS rate driven.
- Cost of standard accommodations in low to mid-priced hotels, motels, or similar lodgings.
- Cost of meals, no more lavish than would be eaten at the employee's own expense and within the Per Diem detailed above.
- Tips not exceeding 15% of the total cost of a meal or 10% of a taxi fare.
- Charges for telephone calls, fax, and similar services required for Perry City purposes.

If the approved business travel will be more than a half day but will not require overnight

accommodations, Perry City will reimburse Mileage and 30% of the IRS Per Diem for meals and incidental expense.

Employees who are involved in an accident while traveling for Perry City must promptly report the incident to their immediate supervisor. Vehicles owned, leased, or rented by Perry City may not be used for personal use without prior approval.

Cash advances to cover reasonable anticipated expenses may be made to employees, after travel has been approved. Employees should submit a written request to their supervisor when travel advances are needed. Any funds not spent on approved expenses and accompanied by a receipt need to be refunded to the City.

When travel is completed, employees should submit completed travel reimbursement forms within 30 days. Receipts for all individual expenses should accompany reports.

Employees should contact their supervisor for guidance and assistance on procedures related to travel arrangements, travel advances, reimbursement forms, or any other travel issues.

Abuse of this travel expenses policy can be grounds for disciplinary action, up to and including termination of employment.

### ***Visitors in the Workplace***

To provide for the safety and security of employees and the facilities at Perry City, only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

All visitors should enter Perry City at the main entrance. Authorized visitors will receive directions or be escorted to their destination. Employees are responsible for the conduct and safety of their visitors.

If an unauthorized individual is observed on Perry City's premises, employees should immediately notify their department head or, if necessary, direct the individual to the main entrance.

### ***Computer and E-mail Usage***

Computers, computer files, the e-mail system, and software furnished to employees are Perry City property intended for City use. Employees should not use a password, access a file, or retrieve any stored communication without authorization. To ensure compliance with this policy, computer and e-mail usage may be monitored.

Perry City strives to maintain a workplace free of harassment and sensitive to the diversity of its employees. Therefore, Perry City prohibits the use of computers and the e-mail system in ways that are disruptive, offensive to others, or harmful to morale.

For example, the display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassment or showing disrespect for others.

E-mail may not be used to solicit others for commercial ventures, religious or political causes, outside organizations, or other non-City matters.

Perry City purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software

developer, Perry City does not have the right to reproduce such software for use on more than one computer.

Employees may only use software on local area networks or on multiple machines according to the software license agreement. Perry City prohibits the illegal duplication of software and its related documentation.

Employees should notify their immediate supervisor, the administration or any member of management upon learning of violations of this policy. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

### ***Workplace Monitoring***

Workplace monitoring may be conducted by Perry City to ensure quality control, employee safety, security, and customer satisfaction. All Perry City equipment, property and vehicles used for work may be monitored, and there should be no expectation of workplace privacy of City property.

Perry City reserves the right to monitor telephone conversations or record conversations of employees who regularly communicate with customers. Telephone monitoring is used to identify and correct performance problems through targeted training. Improved job performance enhances our customers' image of Perry City as well as their satisfaction with our service.

Computers furnished to employees are the property of Perry City. As such, computer usage and files may be monitored or accessed.

Employees can request access to information gathered through workplace monitoring that may impact employment decisions. Access will be granted unless there is a legitimate reason to protect confidentiality or an ongoing investigation.

Because Perry City is sensitive to the legitimate privacy rights of employees, every effort will be made to guarantee that workplace monitoring is done in an ethical and respectful manner.

### ***Workplace Violence Prevention***

Perry City is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, Perry City has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises.

All employees, including supervisors and temporary employees, should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others. Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited from the premises of Perry City without proper authorization unless a public safety officer.

Conduct that threatens, intimidates, or coerces another employee, a customer, or a member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's sex, race, age, or any characteristic protected by federal, state, or local law.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor or any other member of management. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to a supervisor. Do not place yourself in peril. If you see or hear a commotion or disturbance near your workstation, do not try to intercede or see what is happening.

Perry City will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, Perry City may suspend employees, either with or without pay, pending investigation.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

Perry City encourages employees to bring their disputes or differences with other employees to the attention of their supervisors or the Human Resources Department before the situation escalates into potential violence. Perry City is eager to assist in the resolution of employee disputes, and will not discipline employees for raising such concerns.

## **Leaves of Absence**

### ***Family Medical Leave (FMLA)***

The Family Medical Leave Act of 1993 (FMLA) provides eligible employees the statutory right to take up to twelve (12) weeks of unpaid leave per year under specified circumstances related to family health care, childbirth, and active military duty.

Employees requesting leave under the Family Medical Leave Act must be employed with the city for a minimum of twelve (12) months, and have worked a minimum of 1250 hours in the twelve (12) month period immediately preceding the request.

Eligible employees may request leave for situations related to personal and family medical circumstances such as:

- a) Obligations related directly to childbirth, adoption, or placement of a foster child.
- b) Caring for a child, spouse, or parent with a serious health condition. A serious health condition means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility; or continuing treatment by a health care provider.
- c) A serious health condition that makes the employee unable to perform his or her job.
- d) When an immediate family member (spouse, child, or parent) is a reservist or National Guard member called to active duty, or is already on active duty. This is called FMLA Exigency Leave.

The qualifying exigency must be one of the following:

- 1) Short-notice deployment,
  - 2) Military events and activities,
  - 3) Child care and school activities,
  - 4) Financial and legal arrangements,
  - 5) Counseling,
  - 6) Rest and recuperation,
  - 7) Post-deployment activities and
  - 8) Additional activities that arise out of active duty, provided that the City and the employee agree, including agreement on timing and duration
- e) When an employee is providing care to an immediate family member (spouse, child, parent) as well as to the nearest blood relative, who is wounded while serving in the US Military. When

FMLA is taken for this qualifying event, the unpaid leave can be up to twenty six (26) weeks and can only be taken once during their employment. This is called FMLA Military Caregiver Leave.

Eligible employees should make requests for Family Medical Leave to their supervisors, in writing, at least (30) days in advance of foreseeable event(s) and as soon as practical for unforeseeable event(s).

If an employee takes paid sick leave for a condition that progresses into a serious health condition and the employee requests unpaid leave as provided under this policy, the City may designate all or some portion of related leave taken as leave under this policy, to the extent that the earlier leave meets the necessary qualifications.

Perry City follows all current requirements as outlined by the Family Medical Leave Act. Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during a leave of absence pursuant to the Family Medical Leave Act, and will resume upon the employee's return to active employment.

### ***Unpaid Personal Leave***

Perry City provides leaves of absence without pay to eligible employees who wish to take time off from work duties to fulfill personal obligations. Employees in the following employment classification(s) are eligible to request personal leave as described in this policy:

- Regular Full-Time employees
- Introductory Full-Time employees

As soon as eligible employees become aware of the need for a personal leave of absence, they should request a leave from their supervisor.

Personal leave may be granted for a period of up to 5 calendar days every 5 years. If this initial period of absence proves insufficient, consideration will be given to a written request for a single extension of no more than 30 calendar days. With the supervisor's approval, an employee may take any available sick leave or vacation leave as part of the approved period of leave.

Requests for personal leave will be evaluated based on a number of factors, including anticipated workload requirements and staffing considerations during the proposed period of absence.

Subject to the terms, conditions, and limitations of the applicable plans, Perry City will continue to provide health insurance benefits for the full period of the approved personal leave.

Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the unpaid leave and will resume upon the employee's return to active employment.

When a personal leave ends, every reasonable effort will be made to return the employee to the same position, if it is available, or to a similar available position for which the employee is qualified. However, Perry City cannot guarantee reinstatement in all cases.

If an employee fails to report to work promptly at the expiration of the approved leave period, Perry City will assume the employee has resigned.

### ***Bereavement Leave***

Employees who wish to take time off due to the death of an immediate family member may take up to three (3) days leave, and should notify their supervisor immediately. Immediate Family is defined as: husband, wife, son, daughter, father, mother, brother, sister, and parents of the spouse. Two (2) days leave



will be allowed for grandparents or grandchildren.

Up to 3 days of paid bereavement leave will be provided to eligible employees in the following classification(s):

- Regular Full-Time employees
- Introductory Full-Time employees
- Regular Part-Time employees
- Part-time
- Temporary

Bereavement pay is calculated based on the base pay rate at the time of absence, and the number of hours customarily worked each day and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials.

Bereavement leave will normally be granted unless there are unusual needs or staffing requirements. Employees may, with their supervisors' approval, use any available paid leave for additional time off as necessary.

Perry City defines "immediate family" as the employee's spouse, parent, child, sibling; the employee's spouse's parent, child, or sibling; the employee's child's spouse; grandparents or grandchildren.

### ***Training Leave***

Perry City provides educational leaves of absence without pay to eligible employees who wish to take time off from work duties to pursue course work that is applicable to their job duties with Perry City. Employees who are required by Perry City to attend training classes may receive leave with pay at the discretion of the Department head and the City Administrator or Mayor. Employees in the following employment classification(s) are eligible to request educational leave as described in this policy:

- Regular Full-Time employees
- Introductory Full-Time employees

Employees become eligible on the first of the month following 60 days of employment to request educational leave, as needed. Requests will be evaluated based on a number of factors, including anticipated workload requirements and staffing considerations during the proposed period of absence.

Subject to the terms, conditions, and limitations of the applicable plans, health insurance benefits will be provided by Perry City until the end of the month in which the approved educational leave begins. At that time, employees will become responsible for the full costs of these benefits if they wish coverage to continue. When the employee returns from educational leave, benefits will again be provided by Perry City according to the applicable plans.

Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the unpaid training leave and will resume upon the employee's return to active employment.

When an educational leave ends, every reasonable effort will be made to return the employee to the same position, if it is available, or to a similar available position for which the employee is qualified. However, Perry City cannot guarantee reinstatement in all cases.

If an employee fails to report to work at the end of the approved leave period, Perry City will assume that the employee has resigned.

## ***Military Leave***

A military leave of absence will be granted to employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

Exempt employees will receive partial pay for two-week training assignments and shorter absences. Upon presentation of satisfactory military pay verification data, employees will be paid the difference between their normal base compensation and the pay (excluding expense pay) received while on military duty.

The portion of any military leaves of absence in excess of two weeks will be unpaid. However, employees may use any available paid time off for the absence.

Continuation of health insurance benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible.

Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during any military leave (paid or unpaid) of more than three (3) working days duration, and will resume upon the employee's return to active employment.

Employees on military leave for up to 30 days are required to return to work for the first regularly scheduled shift after the end of service, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with USERRA and all applicable state laws.

Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or a comparable one depending on the length of military service in accordance with USERRA. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service.

Contact Perry's Human Resources Director for more information or questions about military leave.

## ***Time Off to Vote***

Perry City encourages employees to fulfill their civic responsibilities by participating in elections. Generally, employees are able to find time to vote either before or after their regular work schedule. If employees are unable to vote in an election during their nonworking hours, Perry City will grant up to 4 hours of unpaid time off to vote.

Employees should request time off to vote from their supervisor at least two working days prior to the Election Day. Advance notice is required so that the necessary time off can be scheduled at the beginning or end of the work shift; whichever provides the least disruption to the normal work schedule.

## ***Emergency Leave***

Department heads may allow a permanent or introductory employee reasonable time off not to exceed three (3) working days with pay in case of an emergency or death in the immediate family. Time will be charged to sick leave. The City Council shall have the authority to grant longer leaves in unusual circumstances in which an emergency exists. During emergency leave periods in excess of thirty calendar days, vacation leave, sick leave, or time toward yearly evaluation shall not accrue.

## ***Jury Duty***

Perry City encourages employees to fulfill their civic responsibilities by serving jury duty when required.

Employees in an eligible classification may request up to 5 business days of paid jury duty leave over any 1-year period.

Jury duty pay will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked on the day of absence. Employee classifications that qualify for paid jury duty leave are:

- Regular Full-Time employees
- Introductory Full-Time employees

If employees are required to serve jury duty beyond the period of paid jury duty leave, they may use any available paid time off (for example, vacation benefits) or may request an unpaid jury duty leave of absence.

Employees must show the jury duty summons to their supervisor as soon as possible so that the supervisor may make arrangements to accommodate their absence. Of course, employees are expected to report for work whenever the court schedule permits.

Either Perry City or the employee may request an excuse from jury duty if, in Perry City's judgment, the employee's absence would create serious operational difficulties.

Perry City will continue to provide health insurance benefits for the full term of the jury duty absence.

Benefit accruals such as vacation, sick leave, or holiday benefits will be suspended during unpaid jury duty leave and will resume upon the employee's return to active employment.

Paid leave will not be granted when the employee is serving as his own witness in financial and related suits which he has initiated.

### ***Witness Duty***

Perry City encourages employees to appear in court for witness duty when subpoenaed to do so.

If employees have been subpoenaed or otherwise requested to testify as witnesses by Perry City, they will receive pay for the entire period of witness duty. All Perry City employees will be compensated their regular workday wages. If an employee is required to go to witness duty during their regular work day, the employee should notify his or her department head of the witness duty and refuse to accept the witness duty check provided. If an employee is required to go to witness duty during time off of work, they can accept the witness duty check as pay for the first hour of witness duty, and all other time on witness duty will be compensated as regular hours worked.

Employees will be granted unpaid time off, to appear in court as a witness when requested by a party other than Perry City. Employees are free to use any available paid leave benefit (such as vacation leave) to receive compensation for the period of this absence.

The subpoena should be shown to the employee's supervisor immediately after it is received so that operating requirements can be adjusted, where necessary, to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

### ***Community Service***

Perry City encourages employees to give back to the community. Perry City allows paid time off to all employees volunteering their time to a non-profit organization. This time off must be approved in advance by the Department Head and Mayor or City Administrator.

## ***Administrative Leave***

Disciplinary action (or other action) may include paid or unpaid administrative leave, depending on the circumstances, as follows:

1. Unless other action is taken by Perry City, a police officer employed by the City shall be placed on administrative leave if charged with one or more A or B misdemeanors or felonies, and the Chief of Police may designate said leave as unpaid administrative leave pursuant to Utah Code Section 10-3-912.
2. Any other employee of the city may be placed on administrative leave if charged with one or more A or B misdemeanors or felonies, and the Mayor or City Administrator may designate said leave as unpaid administrative leave, depending on the circumstances.
3. Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during unpaid administrative leave, and will resume upon the employee's return to active employment.

## **Employee Conduct and Disciplinary Action**

### ***Employee Conduct and Work Rules***

To ensure orderly operations and provide the best possible work environment, Perry City expects employees to follow rules of conduct that will protect the interests and safety of all employees and the organization.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

- Theft or inappropriate removal or possession of property
- Falsification of timekeeping records
- Working under the influence of alcohol or illegal drugs
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating employer-owned vehicles or equipment
- Fighting or threatening violence in the workplace
- Boisterous or disruptive activity in the workplace
- Abrupt or rude behavior to co-workers or citizens
- Negligence or improper conduct leading to damage of employer-owned or customer-owned property
- Insubordination or other disrespectful conduct
- Violation of safety or health rules
- Smoking in prohibited areas
- Sexual or other unlawful or unwelcome harassment
- Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace
- Excessive absenteeism or any absence without notice
- Unauthorized absence from work station during the workday
- Unauthorized use of telephones, mail system, or other employer-owned equipment
- Unauthorized disclosure of business "secrets" or confidential information
- Violation of personnel policies or other policies and procedures
- Unsatisfactory performance or conduct
- Carelessness in work duties
- Failure to follow instruction
- Improper use of time at work for personal business

## ***Drug and Alcohol Use***

It is Perry City's desire to provide a drug-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

While on Perry City premises and while conducting business-related activities off Perry City premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.

Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences.

Under the Drug-Free Workplace Act, an employee who performs work for a government contract or grant must notify Perry City of a criminal conviction for drug-related activity occurring in the workplace. The report must be made within five days of the conviction.

Drug and alcohol tests may be conducted as a routine part of the pre-employment physical examination for applicants and co-op students. Applicants must satisfactorily pass the drug screen prior to reporting to work, as a condition of employment. Offers of employment may be made contingent on satisfactorily meeting these requirements. If the drug screening procedures indicate the presence of illegal drugs or controlled substances, the applicant will not be considered further for employment. An applicant who fails a pre-employment drug test may not re-apply for employment for a period of one hundred and twenty days.

In addition, Perry City reserves the right, consistent with applicable law, to conduct tests based on reasonable suspicion or following the occurrence of any accident or damage to property. Random testing may also be conducted at any time. An employee may be suspended pending the outcome of any required drug test. Perry City will use Brigham City Community Hospital to handle all drug testing, unless another location is determined by the City Administrator or City Council.

Employees with questions on this policy or issues related to drug or alcohol use in the workplace should raise their concerns with their supervisor or the Senior Management without fear of reprisal.

## ***Sexual and Other Unlawful Harassment Policy***

Perry City is committed to providing a work environment that is free of discrimination and unlawful harassment. Perry City complies with federal and state equal employment opportunity laws and strives to keep the workplace free from all forms of harassment, including, but not limited to, harassment based on:

- Sex
- Religion
- National origin
- Age
- Disability, and
- Race

Some examples of conduct that might be considered harassment include ethnic slurs, and racist remarks. In addition, sexual harassment includes any unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature where tolerance of such actions is made a condition of

employment, interferes with an individual's work performance, or creates an intimidating, hostile or offensive work environment.

It is illegal and against Perry City's policy for any worker, male or female, to harass another worker or create a hostile working environment by committing or encouraging:

- Physical assaults on another employee, including rape, sexual battery, molestation, or attempts to commit these assaults;
- Intentional physical conduct that is sexual in nature, including touching, pinching, patting, or brushing up against another employee's body;
- Unwanted sexual advances, propositions, or sexual comments, including sexual gestures, jokes, or comments made in the presence of any employee who has indicated that such conduct is unwelcome; sexual in nature or pornographic;
- Posting or displaying pictures, posters, calendars, graffiti, objects, or other materials that are sexual in nature or pornographic.

The creation of an intimidating, hostile, or offensive working environment includes such actions as persistent sexual comments or the display of obscene or sexually oriented photographs or drawings. However, conduct or actions that arise out of a personal or social relationship and are not intended to have a discriminatory employment effect might not be viewed as harassment. The employer will determine whether such conduct constitutes sexual harassment.

Employees subjected to sexual harassment should immediately report the harassment to their supervisor or any member of management. Employees can raise concerns and make reports without reprisal.

Supervisors and managers who receive a sexual harassment complaint should immediately follow the required steps for investigating the allegations and protect the employee from retaliation.

Anyone engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

### ***Attendance and Punctuality***

To maintain a safe and productive work environment, Perry City expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on Perry City. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their supervisor as soon as possible in advance of the anticipated tardiness or absence.

Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment.

### ***Personal Appearance***

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the image Perry City presents to customers and visitors.

While working, employees are expected to present a clean and neat appearance and to dress according to the requirements of their positions. Employees who appear for work inappropriately dressed will be sent home and directed to return to work in proper attire. Under such circumstances, employees will not be compensated for the time away from work. Consult your supervisor or department head if you have

questions as to what constitutes appropriate attire.

### ***Return of Property***

Employees are responsible for items issued to them by Perry City or in their possession or control, such as the following:

- Credit cards
- Identification badges
- Keys
- Manuals
- Pagers
- Cell phones
- Weapons (for police officers)
- Security passes
- Written materials

Employees must return all Perry City property immediately upon request or upon termination of employment. This includes any original works, ideas and improvements created while employed by Perry City. Where permitted by applicable laws, Perry City may withhold from the employee's check or final paycheck the cost of any items that are not returned when required. Perry City may also take all action deemed appropriate to recover or protect its property.

### ***Security Inspections***

Perry City wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other improper materials. To this end, Perry City prohibits the possession, transfer, sale, or use of such materials on its premises. Perry City requires the cooperation of all employees in administering this policy.

Desks, lockers, and other storage devices may be provided for the convenience of employees but remains the sole property of Perry City. Accordingly, any agent or representative of Perry City can inspect them, as well as any articles found within them, at any time, either with or without prior notice.

### ***Solicitation***

In an effort to ensure a productive and harmonious work environment, persons not employed by Perry City may not solicit or distribute literature in the workplace at any time for any purpose.

Perry City recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during working time. (Working time does not include lunch periods, work breaks, or any other periods in which employees are not on duty.)

In addition, the posting of written solicitations on Perry City bulletin boards is prohibited. Bulletin boards are reserved for official organization communications on such items as:

- Internal memoranda
- Job openings
- Organization announcements
- Payday notice
- Workers' compensation insurance information
- State disability insurance/unemployment insurance information

## ***Drug Testing***

Perry City is committed to providing a safe, efficient, and productive work environment for all employees. Using or being under the influence of drugs or alcohol on the job may pose serious safety and health risks. To help ensure a safe and healthful working environment, if a supervisor has reasonable suspicion to believe that an employee is using or is under the influence of drugs or alcohol on the job, the employee may be asked to provide body substance samples (such as urine and/or blood) to determine the illicit or illegal use of drugs and alcohol. Refusal to submit to drug testing may result in disciplinary action, up to and including termination of employment.

Copies of the drug testing policy will be provided to all employees. Employees will be asked to sign an acknowledgement form indicating that they have received a copy of the drug testing policy. Questions concerning this policy or its administration should be directed to the Senior Management.

## ***Life-Threatening Illnesses in the Workplace***

Employees with life-threatening illnesses, often wish to continue their normal pursuits, including work, to the extent allowed by their condition. Perry City supports these endeavors as long as employees are able to meet acceptable performance standards. As in the case of other disabilities, Perry City will make reasonable accommodations in accordance with all legal requirements, to allow qualified employees with life-threatening illnesses to perform the essential functions of their jobs.

Managers and other employees have a responsibility to respect and maintain the confidentiality of employee medical information. Anyone inappropriately disclosing such information is subject to disciplinary action, up to and including termination of employment.

Employees with questions or concerns about life-threatening illnesses are encouraged to contact Perry's Human Resources Director or persons acting in this capacity for information and referral to appropriate services and resources.

## ***Recycling***

Perry City supports environmental awareness by encouraging recycling and waste management in its practices and operating procedures. This support includes a commitment to the purchase, use, and disposal of products and materials in a manner that will best utilize natural resources and minimize any negative impact on the earth's environment.

Special recycling receptacles have been set up to promote the separation and collection of the following recyclable materials at Perry City:

- Computer paper
- White high grade or bond paper
- Mixed or colored paper

The simple act of placing a piece of paper, can or bottle in a recycling container is the first step in reducing demand on the earth's limited resources. Success of this program depends on active participation by all of us. Employees are encouraged to make a commitment to recycle and be a part of this solution.

By recycling, Perry City is helping to solve trash disposal and control problems facing all of us today.

## ***Employee Grievances and Appeals***

The provisions of Utah Code Ann. § 10-3-1106 as amended, are incorporated herein by reference



## **General Grievance Policy**

Employees who perceive that they have a grievance against Perry City should exhaust the administrative procedure set forth in the body of this policy before addressing their grievance through any other forum. An employee may file a grievance about any perceived work related injustice or oppression resulting from an act occurrence, omission, condition, or unfair labor practice. Issues addressable throughout the grievance process include, but are not limited to:

- Employee-supervisor relationships.
- Duty assignments not affecting job classification.
- Shift and job location assignments.
- Working conditions.
- Practices affecting granting of leave.

Grievances should be resolved at the lowest administrative level possible. Employees and supervisors shall attempt to resolve grievances informally by discussing the grievance issues before any formal written grievance is filed. Each employee pursuing a formal grievance must prepare and submit a separate written grievance/appeal. Written grievances shall contain, at a minimum, the following information:

- (1) Name of the employee.
- (2) Date the occurrence or action underlying the grievance occurred.
- (3) Nature of the grievance.
- (4) Historical information related to the grievance.
- (5) Requested resolution.
- (6) Signature of the employee filing the grievance and date filed.

Employees will be allowed a reasonable amount of time during work to prepare written grievances. Employee grievances must be filed within ten (10) days of the occurrence or event giving rise to the grievance, or within ten (10) days of when the employee acquires knowledge of the occurrence or event giving rise to the grievance.

At each level of the grievance process, after an administrator has received an employee grievance, the administrator shall have ten (10) working days to respond in writing to the grievance.

If an administrator is unable to answer the grievance within the specified time period due to extenuating circumstances, the administrator may take an additional ten (10) working days to answer the grievance if they notify the employee in writing of the exigent circumstances and that the extension is being exercised. If the grievance remains unresolved or the decision is considered unacceptable, the employee may appeal the decision to the next level of appeal.

Absent exigent circumstances, if the supervisor fails to respond within the allotted time, the employee may proceed to the next level of appeal.

Only the issues presented in the original grievance may be considered throughout the appellate process. A grievance and any necessary appeals shall be processed through the following chain of command, if applicable:

- (1) Immediate Supervisor.
- (2) Department Head.
- (3) City Administrator/Manager.

- (4) Mayor. (Final Step for Temporary Employees)
- (5) City Council. (Final Step for Regular & Introductory Full-Time and Part-Time employees)

The decision of the City Council constitutes the final decision of Perry City for Regular & Introductory Full-time & Part-time employees and cannot be appealed, except by filing with the district court as otherwise allowed by law.

The decision of the Mayor constitutes the final decision of Perry City for Temporary Full-time & Part-time employees and cannot be appealed, except by filing with the district court as otherwise allowed by law.

### ***Confidentiality***

Written Grievance Forms shall be private data under the government Records Access Management Act of the State of Utah. The Mayor or City Council may declare the grievance documents to be confidential and/or order the entire record, or any part of it, sealed.

### ***Filing***

- A. No document relating to a grievance shall be placed in the employee's personnel file.
- B. If any disciplinary action against an employee is rescinded as a result of the grievance process, the Mayor, or designee, shall remove the record of the disciplinary action from the employee's personnel file.
- C. If any disciplinary action against an employee is modified as a result of the grievance process, the unmodified record of the disciplinary action shall be removed from the employee's personnel file and the modified record of the disciplinary action shall be placed in the employee's personnel file.

## **Termination of Employment**

### ***Types of Termination***

Any involuntary termination or termination of any employee who is allowed to resign, in lieu of an involuntary termination, should be reviewed with legal counsel before termination is pursued or a resignation is accepted to ensure the employee's Due process and property rights are not violated.

### ***Retirement***

Voluntary termination at the end of an employee's career.

### ***Voluntary Resignation***

Resignation is a voluntary act initiated by the employee to terminate employment with Perry City. Although advance notice is not required, Perry City requests at least 2 weeks' written resignation notice from all employees. Failure to provide a 2-week notice of termination may result in forfeiture of any unused accrued vacation payment.

Prior to an employee's departure, an exit interview will be scheduled to discuss the reasons for resignation and the effect of the resignation on benefits.

## ***Resignation of an Involuntary Termination, Agreement***

The Mayor, or designee, may conclude that an employee should be involuntarily terminated for no reason (for probationary employees and Exempt Department Heads) or for cause. If Involuntary Termination proceedings have begun, but have not been completed and an employee suggests that they would like to voluntarily resign, the Mayor may agree to a Resignation In Lieu Of an Involuntary Termination Agreement.

## ***Involuntary Termination***

The Mayor, or designee, may conclude that an employee should be involuntarily terminated for no reason (for probationary employees and Exempt Department Heads) or for cause.

## ***Reductions in Force/Layoffs***

Whenever it is necessary to reduce the number of employees in Perry City because of lack of work or lack of funds, Perry City may attempt to minimize layoffs by readjustment of personnel through reassignment of duties in other work areas.

## ***Required Notice Prior to Termination***

All employees, including at-will employees, must notify Perry City at least two (2) weeks before retiring or voluntarily resigning to be eligible, to receive pay for unused, accrued vacation leave (if applicable), and to be eligible for rehire.

Perry City does not have a requirement to give any prior notice to an employee before terminating their employment with Perry City.

Unused, accrued vacation leave (if applicable) will always be paid for terminations of employment involving Reductions in Force/Layoffs, Medical Reasons, and Deaths.

## ***Termination Procedures***

A Notice of Voluntary Resignation Form, signed by the employee and the Mayor, or designee, may be utilized in Voluntary Resignations.

Involuntary Terminations/Separations for Cause require Perry City to provide their terminating employees with written notification of due process. At-Will Involuntary Terminations (for probationary employees and exempt department heads) do not require Perry City to provide their terminating employees with written notification of due process.

A Resignation in Lieu of an Involuntary Termination Agreement, signed by the employee and the Mayor, or designee, may be utilized in negotiated terminations. A Resignation in Lieu of an Involuntary Termination Agreement does not require Perry City to provide their terminating employees with written notification of due process.

The following steps should be taken for Voluntary Retirements:

- (1) Employees who desire retirement should notify Perry City three (3) months in advance.
- (2) Perry City should communicate the status of each employee's retirement benefits. Upon request for retirement benefits, Perry City should notify the administrator of the retirement program and the appropriate state and federal regulatory agencies.

- (3) Perry City should carefully explain to the employee what the options are (such as Cobra and Retirement Plan Options).
- (4) Perry City should give the employee ample time to review the retirement plan.
- (5) Perry City should have the employee sign a release, or at least a declaration statement, to the effect that they are electing retirement of their own free will.

All terminating employees should complete an Exit Interview Form with the Mayor, or designee. The Exit Interview Form should be signed by the employee and the Mayor, or designee.