



**Personnel Policy  
and  
Procedure Handbook**

**Revisions Adopted  
Russellville City Council  
September 19, 2013  
City Ordinance # 2157**

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## **I) GENERAL POLICY PROVISIONS**

### **1. Mission**

The mission of the City of Russellville is to provide quality services for the betterment of the health, safety, welfare, prosperity, comfort, and convenience of all persons in the City of Russellville, Arkansas. Each employee contributes to this mission by providing services for the benefit and advantage of individuals and businesses within Russellville.

The accomplishment of the mission and the quality of services provided by the City are dependent upon employee initiative and responsibility. The City seeks to attract and retain the most competent employees. The policies and procedures set forth in this manual clarify the values of the City in directing its employees and govern employees as they serve the Russellville community.

### **2. Mayor/Council Form of Government**

The City of Russellville is organized as a Mayor/Council form of government. This form most closely parallels the federal government with an elected legislature and a separately elected chief executive.

The City Council is the City's legislative body and consists of eight (8) council members serving two (2) year terms. The Council sets policy, determines programs, services and their priorities, and approves the City budget. The elected Mayor is designated as the head of the city government and is responsible for implementing policy formulated by the Council and managing City operations.

### **3. General Purposes of Policies**

The policies contained in this Personnel Policy and Procedures Manual are enacted by the City of Russellville, Arkansas, in order to further the following goals:

- To provide a uniform system of personnel administration throughout the City service.
- To ensure that recruitment, selection, placement, promotion, retention, and separation of City employees are based upon employees' qualifications and fitness, and are in compliance with federal and state laws.
- To assist managers in the development of sound management practices and procedures, and to make effective and consistent use of human resources throughout the City.
- To promote communication between the Department Head, supervisors, and employees.

- To ensure, protect, and clarify the rights and responsibilities of employees.
- To inform employees that the Police and Fire personnel are guided by the Civil Service Rules and Regulations. Personnel matters related to hiring, firing, promotion and discipline will follow the Civil Service Rules and Regulations.

#### **4. Amendments and Revisions**

This manual may be amended and revised periodically as necessary at the direction of the City Council. Since personnel practices and procedures are in a constant state of change, the City will continuously review this Handbook for the amendments or revisions which might better serve the needs of the City and its employees. As such, this Handbook has been designed to be routinely updated and amended as the need arises.

The City of Russellville shall have the exclusive right to change, alter, delete, add or modify any provision of these personnel policies at any time. Final approval of all changes to the personnel policies shall be adopted by ordinance of the City Council. Changes made to these policies shall be communicated through standard communication channels however advance notice may not always be possible.

This policy manual supersedes all previous manuals, letters, memoranda, resolutions and understandings otherwise noted.

## **II) GENERAL EMPLOYMENT POLICIES**

### **1. Nature of Employment - At-Will Employer**

The City of Russellville is an at-will employer. This means that the City of Russellville or any city employee may terminate the employment relationship at any time for any reason, with or without cause, with the understanding that neither has an obligation to base that decision on anything but his or her intent not to continue the employment relationship. No policies, comments, or writings made herein or during the employment process shall be construed in any way to waive this provision.

All city employees should understand that this Handbook is not intended to create any contractual or other legal rights. It does not alter the City's at-will employment policy nor does it create an employment contract for any period of time.

### **2. Equal Opportunity Employer**

The City of Russellville is committed to providing equal employment opportunities without regard to race, color, religion, national origin, sex, age, disability or veteran status as required by all federal and state laws. The City's commitment extends to all employment-related decisions, terms and conditions of employment, including job opportunities, promotions, pay and benefits.

### **3. Americans with Disabilities Act (ADA)**

The Americans with Disabilities Act of 1990 ("ADA") protects qualified individuals with disabilities from employment discrimination. The City is committed to the goals and guidelines of the ADA. The City does not discriminate against individuals with disabilities in regard to any employment practices or terms, conditions and privileges or employment.

To be protected by the ADA, a person must not only be an individual with a disability, but must also be qualified. The City is not required to hire or retain an individual who is not qualified to perform a job. Under the ADA, a "qualified individual with a disability" is an individual who, with or without reasonable accommodation, can perform the essential functions of the job. A "reasonable accommodation" is a change in a job or the work environment that enables a qualified individual with a disability to perform the essential functions and duties of a position as outlined in the City's job description. If the change in job or the work environment creates an undue hardship (financial, physical or otherwise) for the City, then the accommodation will not be made.

The City of Russellville is committed to providing equal employment opportunity to all qualified individuals with a disability. An individual having questions about this policy, or who wants to request an accommodation should contact their respective Department Head and make a formal request for a reasonable, appropriate accommodation. The City remains dedicated to its nondiscrimination policy, which prohibits harassment or discrimination based on an individual's disability. Violation of the nondiscrimination policy, or the ADA policy, may lead to disciplinary action, up to and including termination.

In the event citizens, employees, or other participants in the City's programs, services, and activities believe the City has violated their rights under the ADA, then said individual(s) should contact the City's ADA Coordinator: City of Russellville, P.O. Box 428, Russellville, AR 72811, phone: (479) 968-2098.

#### **4. Immigration Law Compliance**

The City is committed to employing only United States citizens 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 the 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 Mayor's Office and/or Human Resource Coordinator. Employees may file complaints or question immigration law compliance without fear of reprisal.

#### **5. Role of Human Resources Coordinator in Hiring Process**

The Human Resources Coordinator will assist Department Heads with hiring for non-uniformed positions. The responsibilities of the Human Resources Coordinator shall include:

- Posting and advertising open position;
- Review of applications to assess qualifications of applicant;
- Check references, past-employers, and background of applicants that meet the qualifications for a particular position;
- Pre-screen applicants;
- Assist in the interview process;
- Acknowledge receipt of application and advise applicant in writing of acceptance or rejection.

The Department Head will make the final selection regarding which applicant receives an offer of employment, provided that the applicant has met the minimum qualifications for the position, has received acceptable references, and passed a background check.

#### **6. Position Posting and Advertising**

Applications for employment will be accepted from anyone who wishes to apply for employment with forms provided by the City provided that there is an opening. Application forms are available in the office at City Hall or the various City Departments.

In the event of a job opening, the position or positions opening will be announced and posted in all City Departments at least ten (10) days prior to the deadline for receiving applications. Copies of the job announcement form will be distributed to City departments, and as appropriate, to public and private employment agencies, local newspapers and other sources that might recruit applicants. Recruitment resources will be notified at least ten (10) days prior to the predetermined cut-off date for receiving applications.

Applicants must be 18 years of age or older. Department Heads are authorized to make the final decision with respect to hiring new employees.

## **7. Position Descriptions**

Employee job descriptions are prepared according to duties and qualifications required for successful job performance. Job descriptions include the following: a job summary, including supervision exercised by the employee; supervision received by the employee; pre-qualification requirements for employment in the position; specific job duties and responsibilities; necessary special knowledge, skills, and abilities required by the position; tools and equipment used; physical demands; and work environment. Job descriptions are reviewed periodically and may be revised when duties of the position are changed and a new job description shall be prepared for each new position. When there is a revision in a job description because of a change of duties or a new job description is written because a new position is created, a job description shall be prepared by the Human Resource Coordinator and reviewed in consultation with the Department Head.

## **8. Post Offer Pre-Employment Physicals**

Post offer pre-employment physicals may be required for applicants to be hired for the City in a permanent employment position. Such examinations shall be required if requested by the Department Head, after consultation with the Mayor and/or Human Resource Coordinator. Such examinations shall be paid for by the City and shall be used to determine whether the applicant can perform the essential functions of the job with or without reasonable accommodation. The examinations shall be performed by a licensed physician. These medical files shall be maintained in the physician's office with a summary report provided to the Human Resource Department and the Department Head stating whether the employee can or cannot do the job and what, if any, restrictions are necessary to determine any work restructuring or accommodations. Although the physicians make the medical determinations relative to physical/mental requirements of the job and any direct safety threat determinations, their determinations are only recommendations subject to the decision to make reasonable accommodation or not by the Department Head. Only in cases of emergency and after approval by the Mayor, may an employee begin work prior to the post offer pre-employment medical examination, but employment is subject to passing such examination.

Reports and records of all physical, psychological and mental exams shall be kept in the offices of the physicians or mental health practitioners with only. A summary report provided to the Department Head and Human Resources Department is to be kept in a confidential file apart from the Personnel file. Should there be a dispute concerning the exam, or should a supervisor be informed as to the need of reasonable accommodation including job restructuring, the report shall be made available to the



necessary legal, supervisory, or administrative personnel within the City.

## **9. Fitness for Duty Exam**

Employees who become incapacitated due to mental or physical disabilities and become incapable of performing the essential job functions or who pose a direct safety threat to themselves or others will be subject to a fitness for duty examination. Based on the findings of the exam, the essential job functions with or without reasonable accommodation, and other job restructuring factors, the Department Head in consultation with Human Resources and/or the City Attorney shall take such action that is necessary for the good of the City.

## **10. New Hire Probationary/Introductory Period**

The probationary/introductory period for newly hired non-exempt and exempt staff is ninety (90) days. By completing this introductory period, an employee is not guaranteed continued employment because the City of Russellville is an “at-will” employer. Every employee will receive a face-to-face performance evaluation near the end of the probationary period. A copy of the evaluation will be placed in the employee’s personnel file. All employees who are promoted or transferred into a new position may also serve a probationary period if the Department Head so designates.

The probationary period is an introductory period of employment that allows the employee and the City to determine if the employee is suited for the job. It is a time for the employee to get to know the City of Russellville; his/her supervisor and department; the tasks involved in his or her position; and become familiar with the City’s policies and procedures. It is a time to evaluate the employee’s suitability for employment and to allow the employee to evaluate his or her compatibility with the needs and policies and procedures related to the Department and City. While the probationary period is part of the City of Russellville’s employment selection process, continued employment depends on a sustained level of satisfactory performance.

Under special circumstances, an employee’s probationary period may be extended for a specified length of time (not to exceed an additional ninety (90) days) upon recommendation of the employee’s supervisor with the approval of the Department Head and Human Resources Coordinator.

## **11. Employee Orientation**

All new regular full-time and regular part-time employees of the City will be scheduled to meet with the Department Head or the Department Head’s designee on their first day of work for general orientation. The Department Head or Designee shall provide the following information to the new employee, including:

- Work standards and regulations;
- Hours of work, time cards or reports required, leave requests;
- Duties of the position;
- Safety rules and procedures, location of safety or protective equipment;
- Tour of the work area, including location of equipment, supplies, etc.;

- Introduction to co-workers;
- Schedule for lunch and breaks;
- When and whom to report absence from work;
- Who is responsible for performance planning and review;
- Information on employee benefits;
- City policies and procedures.

Before performing job functions, each new employee will be required to complete a form acknowledging they have read and understand the City's personnel and procedures manual, and have read the procedures, rules and regulations of the department in which they are employed.

## **12. Human Resources Coordinator's Role in Employee Orientation**

The Human Resources Coordinator will assist Department Heads with the new employee orientation and managing the 90-day introductory period. There are few time periods more critical to a new employee's success in an organization more than the initial hiring period. Patterns, norms, and organizational expectations are established during this time span. It is vital that critical goals and/or requirements that must be achieved to become a regular employee be discussed with the employee and documented.

The Human Resources Coordinator's role in this process may include:

- Following up with the new employee to ensure that he/she is adjusting to the new position;
- Ensuring that the new employee's training needs have been met;
- Observation of existing employees' interaction with new employee;
- Follow up on expectations and performance with the new employee's supervisor.

The goal of this involvement is to ensure that the new employee succeeds in his/her new position.

## **13. The Omnibus Transportation Employee Testing Act of 1991**

It is the City's intent to comply with all regulations and requirements of the Omnibus Transportation Employee Testing Act of 1991. City employees required to have a Commercial Driver's License (CDL) must comply with all regulations in the 1991 Omnibus Transportation Act. The Act requires alcohol and drug testing for all City employees whose jobs require a CDL. These tests include pre-employment, post-accident, random, reasonable suspicion, and return to duty follow-up testing. The City of Russellville will not permit an employee who refuses to submit to the required testing to perform or continue to perform any activity that requires a CDL. All CDL drivers must obtain from the City of Russellville the City's written substance abuse policy. CDL drivers are required to read this material and sign a statement acknowledging that they have received a copy of the City's Substance Abuse Policy.

## **14. Hiring of Relatives/Nepotism**

It is the City's policy that immediate family may be employed in a regular full-time position within the

same department but not placed in a supervisor-employee relationship. Therefore when an immediate family member is already employed within a department of the City another immediate family member may be hired in a regular, full-time position within the same department, but only after written approval by the Department Head and Mayor.

Definition of Immediate Family: For the purpose of this nepotism policy, immediate family shall include children, parents, brothers, sisters, grandparents, grandchildren, plus the various combinations of half, step, in-law and adopted relationships that can be derived from those previously named relatives. Immediate family shall also include aunts, uncles, nephews, nieces and first cousins.

Spouses shall not work in the same department. In the event two employees within the same department are planning to marry, both employees prior to the marriage shall notify the Department Head. The employees will be able to decide which employee will resign or transfer as soon as the two employees marry. In the event the employees cannot decide which employee will resign and transfer, the Department Head will make the decision based upon the best interest of the department, while also considering seniority.

*This policy shall not be retroactive, and no action will be taken concerning those members of the same family employed in conflict with this policy prior to the adoption of this policy by the City Council: April 20, 2000.*

## **15. Temporary Employment**

Seasonal and part-time employees who have been appointed to a specific job lasting for a specified period of time shall be considered as temporary employees and shall not be entitled to any of the fringe benefits that apply to permanent employees.

### **Re-Employment (Only Applies to Non-Civil Service Positions)**

Any former regular employee who resigned from the City in good standing is eligible for re-employment. Persons interested in re-employment should file a completed employment application form with the Department Head. The individual will then proceed through the regular hiring procedures with other applicants as described in the Hiring Process Policy. If re-hired, the employee will be considered as a new employee in all respects. Once a returning employee reaches two years of service, the individual's hire date will be adjusted to include his/her previous years of service, and vacation time will be accrued according to total service years. (See Civil Service Commission Rules and Regulations for rehiring policies for uniformed services.)

## **16. Employee Personnel Records**

The City is responsible for establishing and maintaining an official personnel file for each employee of the City. All documents will be kept in a secure file cabinet in the Human Resource office. Any questions in regard to an employee's file should be addressed to their respective Department Head and/or the Human Resource Coordinator.

## **17. Inclement Weather**

The Mayor may decide due to inclement weather, to close City business offices for non-essential personnel. If that occurs, an employee will be paid for the time that City offices are closed. However, if City offices are open, employees are expected to report to work. If an employee chooses not to come to work due to inclement weather, he or she will not be paid for the absence. A Department Head at his or her discretion may grant an employee's request to use vacation or comp time for the hours absent.

Regardless of the situation, an employee is expected to give his or her supervisor "proper notice" if he or she is unable to report to work. "Proper notice" is defined by the City to be notice in advance of the time an employee should report to work and no later than two (2) hours thereafter if immediate notice of the absence is impossible.

## **18. Equipment**

It shall be the responsibility of the individual employee to properly maintain his/her equipment. Any problems with equipment shall be reported to the Department Head.

For the mutual convenience of the employee and the City of Russellville, the employee may be assigned City-owned equipment, such as vehicles, lockers, desks, cabinets, and briefcases. The employee is hereby advised that the retention of any personal items in such equipment is at the employee's own risk. Neither the City nor the employee's supervisor will be responsible for any losses; however, any City-provided equipment is subject to entry, search, and inspection by the employee's supervisors, without notice to the employee. Any privately owned property contained in such equipment (including the contents of clothes or sealed items/containers) may also be opened and examined without further notice to, or the permission of the employee. This includes any City-provided equipment that is protected by a personally owned lock that the employee provides. Therefore, employees have NO expectation of privacy when using City-provided equipment.

## **19. City Owned Vehicles**

Employees who drive non-emergency city owned vehicles to and from work will be allotted a taxable fringe as determined by the current IRS regulations. This amount is allotted to cover the personal use of the city owned vehicle when commuting to and from work. If an employee does not wish to be charged this fringe, he/she can drive his/her personal vehicle to and from work each day, and drive the city-owned vehicle ONLY during work hours. No city vehicle should be used on weekends or off duty hours for personal errands of any sort. Employees are required to present proof of a valid driver's license. If the driver's license of an employee who drives a city-owned vehicle is suspended or revoked for any reason, he/she must notify the Department Head and Human Resources Coordinator immediately.

Vehicles not included in this taxable fringe include:

- Clearly marked police and fire vehicles
- Unmarked vehicles used by law enforcement officers if the use is officially authorized
- Utility repair trucks (excluding vans or pickups) designed to carry tools, equipment, etc.
- Pickup trucks equipped with hydraulic lift gate, permanent tanks or drums, or permanent side boards or panels

Control employees or elected officials such as the Mayor will pay taxes on 20% of the annual lease value of the vehicle driven.

**a. Seatbelts**

All employees of the City of Russellville must wear properly adjusted and fastened seat belts at all times while operating a City-owned (or leased or borrowed) vehicle, AND while operating private vehicles during working hours. Employees are further encouraged to “abide by the law” and utilize seat belts when operating any vehicle during non-working hours. These requirements also apply to any passenger occupying the front passenger seat of a vehicle. It is recognized that the use of seat belts may sometimes be inconvenient; however, there will be **NO EXCEPTIONS** to this policy, and all employees are expected to comply with the letter of the law. Noncompliance will result in appropriate disciplinary action.

**20. Travel Expenses**

**a. Mileage Reimbursement**

Employees required by the Department Head to use his/her vehicle for city business, shall be reimbursed for mileage at the same rate set by the State of Arkansas. It is the responsibility of the City’s Finance Officer to keep up with the current rates being paid to state employees for travel. Receipts must be submitted for reimbursement of City authorized mileage expenses within sixty (60) days of incurring the expense. Reimbursement for mileage will be based on the vehicle and not the number of employees traveling in said vehicle, (i.e., passengers of the vehicle will not be reimbursed for mileage). Mileage will not be reimbursed to employees using City-owned vehicles.

Use of a privately-owned vehicle for City business, as described above, requires the driver to possess a valid driver's license and automobile insurance. The City will not reimburse for any damages to the vehicle or service repairs.

In the event the Department Head authorizes a City-owned vehicle to be used by the employee for business travel, the City shall pay all expenses of providing the transportation, such as gas and maintenance on the City-owned vehicle.

Expenses necessarily associated with authorized automobile travel, as described above, such as tolls and parking will be fully reimbursed upon presentation of the original receipt.

**b. Motel/Hotel Accommodations Reimbursement**

If, in connection with work-related travel, an employee is required to stay overnight, then the City shall pay for necessary motel/hotel expenses. Receipts must be submitted for reimbursement of City-authorized motel/hotel expenses within sixty (60) days of incurring the expense. Employees are encouraged to seek government rates when making reservations for lodging.

**c. Meal & incidental (M&IE) Reimbursement**

Under current IRS rules, when overnight or unforeseen travel is required, the City shall pay meal reimbursement rates according to the current annual GSA Regulations Per Diem Rates for the Continental United States (CONUS). Employees must complete and submit a City of Russellville Travel Expense Reimbursement Form signed by the employee and authorized by the Department Head and Mayor. If applicable attach a conference agenda.

Under current federal travel regulations, if an employee is in travel status for less than 24 hours but more than 12 hours on any calendar day, the federal travel regulations prorate the applicable M&IE rate at 75 percent.

Employees will not be reimbursed for meals which are already included in the conference registration fee.

The City will not pay for any entertainment expenses, including but not limited to, rental of movies, attendance to non-seminar or non-job related activities or for alcoholic beverages.

**d. Advanced Expenses**

Prior to the anticipated travel for an employee to receive advance travel expenses, the Department Head must submit a detailed written request to the Treasurer authorizing the disbursement for the advance. Upon return, the employee must submit a Travel Reimbursement/Advance Expense Form with receipts (lodging, parking etc.) to verify all authorized travel expenses. All travel documents must be submitted within thirty (30) days of incurring the expense. Employees must return to the City any amounts in excess of the substantiated expenses within thirty (30) days of the incurred expense.

**e. Unauthorized Expenses**

Notwithstanding the above provisions, the City will not reimburse items of a personal nature. Such items include but are not limited to, movies, premium television services, alcohol, dry-cleaning, spas, gyms, barber/hairstylist, magazines, shoeshine, clothing, toiletries, fines or traffic violations, and spouse/guest accommodations.

If unauthorized expenses have been paid by the City, the employee will be responsible for immediate reimbursement to the City either by personal check or payroll deduction.

**f. Emergency Travel**

The City recognizes that in the course of business there will be times that an employee will be directed to travel out-of-town for work related events. Some of the events may require immediate short-term travel, and during such time, the city will afford the employee a per diem travel expenses regardless of an overnight stay. The travel must be approved by the Department Head and requires the submission of actual receipts. The reimbursement of emergency expenses without an overnight stay will be considered an exceptional expense, and will be added as taxable income according to IRS regulations.

**g. Travel Hours**

The City of Russellville hereby establishes the hours for a non-overnight travel day to commence prior to 7 a.m. and conclude after at 7 p.m. If an employee leaves on work-related business prior to 7 a.m. and unable to return until after 7 p.m., the employee will be entitled to a full days travel per diem, and such expense will be considered taxable income according to IRS regulations. If the employee leaves or arrives within the 12 hour travel period, the employee will only be eligible for 75% of the current per diem rate.

**III) GENERAL EMPLOYEE BENEFITS**

**1. Vacation**

**A. Uniformed Employees**

Uniformed employee shall mean any and all certified law enforcement officer or firefighter hired under Civil Service or appointed by the Mayor.

Police Department

On January 1 of each calendar year, all uniformed employees of the Police Department shall be granted fifteen (15) vacation days to be used by the employee during the calendar year subject to departmental scheduling. Uniformed employees who have completed ten years of service shall receive on January 1 of each calendar year, the same number of accrued days per year for the years of service as outlined according to the non-uniformed employee’s policy. This complies with A.C.A. 14-52-106.

Fire Department

On January 1 of each calendar year, all uniformed employees of the Fire Department shall be granted fifteen (15) vacation days equal to 7.5 twenty-four hour shifts, to be used by the employee during the calendar year subject to departmental scheduling. Uniformed employees who have completed ten years of service shall receive on January 1 of each calendar year, the same number of accrued days per year for the years of service as outlined according to the non-uniformed employee’s policy. This complies with A.C.A. 14-53-107.

General (Uniformed Employees)

Vacation time for uniformed employees hired after January 1 will be prorated to the end of the year. Employees will be eligible to utilize vacation time after the training period is completed.

**B. Non-Uniformed Employees**

New Employees and Employees Hired After April 20, 2000

Effective April 20, 2000, all new non-uniformed employees will receive vacation days on January 1 and/or 1- year anniversary based on the following schedule:

<u>Years of Service</u>	<u>Vacation Days</u>
0-3 years	10 days
3+-10 years	15 days
10+ years	one additional day per year
	Maximum yearly accrual – 20 days



During the first year of employment, new employees will receive one week of vacation after completing six months of employment. At the 1-year anniversary (during the 2<sup>nd</sup> year) employees hired on/after July 1 will receive 5 days (40 hours) and employees hired before July 1 will receive 10 days (80 hours). Following the first year (twelve month period) of employment, the vacation schedule outlined above will go into effect.

Employees Hired Prior to April 20, 2000 & Employees with Ten Years of Service

All City of Russellville employees hired prior to April 20, 2000, inclusive of police and fire personnel, shall receive fifteen (15) vacation days, until the employee has completed ten (10) years of service. After ten years of service the employee will follow the established schedule to be received on January 1:

<u>Years of Service</u>	<u>Vacation</u>
11 – 15	20 Days
15 + years	1 – Day for each additional year with a maximum of 25 days

**General (All Employees)**

All City employees must submit a written request to their Department Head for approval to use vacation time. Department Heads must submit a written request to the Mayor for use of vacation time. (Note: in the Mayor’s absence, the “Designated Mayor” from among the City Council may approve the request.)

Annual accruals will begin on January 1 of each calendar year. When the employee is eligible for an accrual increase based on years of service during the current calendar year the amount of vacation accrual will be prorated according to the employee’s anniversary date thru the end of the current calendar year. Prorated hours will be rounded to the nearest hour.

An employee may carry vacation days, (not to exceed 15 days) over to the next calendar year. Employees are given vacation time for relaxation and time away from work to reenergize. Employees will lose any vacation time in excess of any time carried over to the following year, (i.e. employee has earned 20 days and carries over 15 days but does not take the other 5 days, he/she will lose the 5 days not taken.)

The amount of personal time off at any one time will be governed by the Department Head based upon departmental workloads. Vacation time off must be taken in not less than one-half day (½) increments unless approved by the Department Head.

Employees should notify their Department Head at least one (1) week in advance of being absent for vacation time.

Employees returning from leave without pay, other than Military Leave, will begin accruing at the prorated amount beginning from the date of return thru the end of the calendar year.

Upon separation from employment the employee shall be paid his/her accrued vacation. Employees who have been employed less than one year and terminate employment shall be eligible to receive the

prorated amount of vacation time from the hire date to the termination date.

To the extent it differs from the procedure set forth herein, the certified law enforcement officers of the Police and Fire Departments shall receive vacation days in accordance with the provisions set forth in the relevant Arkansas statutes, if any.

**2. Holidays and Holiday Pay**

The appropriation made by the City Council for salaries shall include pay for holidays for all agents, servants and employees of the City, including but not limited to, uniformed employees, as provided by the laws of the State of Arkansas. The City of Russellville will recognize holidays recognized by the State of Arkansas.

For Non-Uniform Employees, if a holiday occurs during the calendar week in which a vacation period is scheduled for an employee, the employee will not be charged vacation time for the holiday.

Uniformed employees base salary shall include holiday pay. Because holiday pay is included in the base salary, a non-exempt uniformed employee will be charged vacation or comp time for time off on a holiday when they are not working a regularly scheduled shift.

Holiday pay will be calculated by the number of work days in a calendar year. Salary divided by the number of working days times the number of holidays allowed.

<b>Holiday</b>	<b>Observance Day</b>
New Year's Day	January 1 <sup>st</sup>
Martin Luther King, Jr. Day	Third Monday in January
George Washington's Birthday or President's Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4 <sup>th</sup>
Labor Day	First Monday in September
Veterans' Day	November 11 <sup>th</sup>
Thanksgiving Day	Fourth Thursday in November
The Day After Thanksgiving	Fourth Friday in November
Christmas Eve	December 24 <sup>th</sup>

Christmas Day	December 25 <sup>th</sup>
Birthday	Observed during birth month

### **3. Social Security**

All employees are automatically included, as participants in the Social Security system (FICA) except uniformed members of the Fire Department who do not pay into Social Security fund. Uniformed members of the Fire Department hired on or after January 1, 1983, pay Medicare. Under Social Security law, workers are provided with the following benefits.

### **4. Unemployment Compensation**

The City of Russellville is a covered employer under the Unemployment Compensation Law. The basic objective of the program is to provide a partial replacement of wages for its employees during short periods of involuntary unemployment.

### **5. Workers Compensation**

All employees of the City are covered under the Arkansas State Workers' Compensation law. Any employee incurring an "on the job" injury must immediately notify his/her supervisor. No matter how minor the injury may appear, it must be reported immediately. Arrangement will be made for appropriate medical treatment and for the completion of the necessary reports and forms. You must complete the Workers' Compensation forms within 24 hours of the accident or by the next business day. Rules and regulations concerning Workers Compensation have been posted on the Department bulletin boards. The appropriate forms can be obtained from the Human Resources.

If an employee is off for less than 14 days, workers' compensation will not pay for the first 7 calendar days. Once the employee is off 14 days our Workers' Compensation Insurance carrier will determine what disability payments are due and will make those payments directly to the employee. Since disability payments are typically less than your regular daily and/or weekly wages you may add to these disability wages by using paid leave from your leave accounts (Sick, Vacation, and Comp Time). Disability checks received from the Workers' Compensation Insurance carrier must be submitted to the Treasurer for reimbursement to the employees appropriate accrued leave bank. Under no circumstance can the combined total paid be more than the normal base wages.

It is the employee's responsibility to keep his/her supervisor notified of appointment dates and times, work restrictions, and any other scheduled time away from work. This should be done as early possible in order to meet scheduling requirements. Failure to do so and in a timely manner will result in disciplinary action against the employee.

### **6. Sick Leave**

#### **a. Sick Leave - Police Department**

Law enforcement officers, regardless of their titles, shall accumulate sick leave at the rate of twenty (20) working days per year beginning one (1) year after date of employment. If unused, sick leave shall accumulate to a maximum of sixty days (A.C.A. 14-52-107).

Time off may be charged against accumulated sick leave only for such days that an officer is scheduled to work. No such sick leave, as provided in this section, shall be charged against any officer during any period of sickness, illness, or injury for any days that the officer is not scheduled to work.

If upon retirement, defined as 1) the employee is fully vested in a work related pension plan and has attained the age of 62 years or 2) the employee is fully vested in a work related pension and has at least twenty (20) years of full-time service with the City) or death, whichever occurs first, if any police officer has any unused accumulated sick leave, he/she or his/her beneficiary shall be paid for this sick leave at the regular rate of pay in effect at the time of retirement or death. Payment for unused sick leave in the case of a police officer, upon retirement or death shall not exceed sixty (60) days' salary (A.C.A. 14-52-107).

**b. Sick Leave - Fire Department**

Firefighters shall accumulate sick leave at the rate of twenty (20) working days per year beginning one (1) year after date of employment. If unused, sick leave shall accumulate to a maximum of 1440 hours (A.C.A. 14-53-108).

Time off may be charged against accumulated sick leave only for such days that a firefighter is scheduled to work. No such sick leave, as provided in this section, shall be charged against any firefighter during any period of sickness, illness, or injury for any days that the firefighter is not scheduled to work.

If upon retirement, defined as 1) the employee is fully vested in a work related pension plan and has attained the age of 62 years or 2) the employee is fully vested in a work related pension and has at least twenty (20) years of full-time service with the City) or death, whichever occurs first, if any firefighter has any unused accumulated sick leave, he/she or his/her beneficiary shall be paid for this sick leave at the regular rate of pay in effect at the time of retirement or death. Payment for unused sick leave in the case of a firefighter, upon retirement or death shall not exceed three (3) months' salary (A.C.A. 14-53-108).

**c. Sick Leave - Non-Uniformed Employees**

The City of Russellville recognizes that inability to work because of illness or injury may cause economic hardships. For this reason, the City of Russellville provides paid sick leave to full-time employees. Eligible employees accrue sick leave at the rate of one (1) working day per month.

All non-civil service employees, upon retirement or death, whichever occurs first, shall be paid a maximum of 60 days for unused accumulated sick leave. For the purposes of this policy, retirement means the employee is leaving their full-time position with the City of Russellville, and: 1) the employee is fully vested in a work related pension plan and has attained the age of 62 years; or 2) the

employee has completed at least twenty (20) years of full-time service with the City in a non-civil service position.

**d. Sick Leave – General (All Employees)**

Absence for part of a day that is chargeable to sick leave in accordance with these provisions shall be deducted from accrued leave in amounts of not less than one hour increments. Sick leave must be earned before it is used. Employees cannot borrow from anticipated future accruals.

An employee who uses all of his or her accrued sick leave days may be required to use vacation or compensatory time available after which he/she may be placed on an inactive, without pay status. In order to apply for and to determine eligibility for leave without pay status see provisions outlined in the *Leave Without Pay Policy, Section III - General Employee Benefits*.

If an employee reports for work while sick or becomes sick and is unable to perform his/her job responsibilities, the supervisor will be responsible for sending the employee home.

Any accumulated sick leave days that are not used in any calendar year may be carried over as accumulated sick leave days for the succeeding calendar year up to a maximum of sixty (60) days.

**All employees may be eligible for sick leave days for the following reasons:**

- (1) Personal illness or physical incapacity.
- (2) Quarantine of an employee by a physician or health officer.
- (3) Medical, dental and optical visits.
- (4) Illness in the immediate family, which would require the employee to take care of the family member(s).

**Immediate Family Members will be defined as: spouse, child, parent or caretaker as defined under the Family and Medical Leave Act Policy which states: “an employee’s spouse, children (son or daughter), and parents are immediate family members for the purposes of FMLA. The term “parent” does not include a parent “in-Law”. The terms son or daughter do not include individuals age 18 or over unless they are “incapable of self-care” because of a mental or physical disability that limits one or more of the “major life activities” as those terms are defined in regulations issued by the EEOC under the ADA”**

An employee who is unable to report for work due to one of the previously listed sick leave reasons shall report the reason for his/her absence to the employee's supervisor or someone acting for the employee's supervisor within two (2) hours prior to the reported work time Sick leave with pay may not be allowed unless such report has been made as aforementioned. The supervisor (or designee) must also be contacted on each additional day of absence unless the employee's physician has designated a defined period of time off in advance. Requests to use sick leave for the purpose of medical, dental, or optical examinations, treatments, etc. must be made twenty-four (24) hours in advance, when applicable. Sick leave with pay may not be allowed unless the guidelines above are followed. Claiming sick leave under false pretense to obtain a day off with pay shall be grounds for disciplinary action, up to and

including termination.

Employees who are absent more than three (3) consecutive days or 6 calendar days in any calendar year due to unconfirmed illness are required by the supervisor or Department Head to submit a physician's statement. If you do not provide a physicians statement you will not be paid for the requested sick day. Use of sick leave time for any other purpose is considered abuse of sick leave, and employees will be disciplined for any violation.

Sick leave may not be used immediately following a vacation day unless a doctor's note is provided. Employees who are absent from work for sick leave are prohibited from working outside employment, unless permission is otherwise obtained in writing from the City.

An employee who has used all of the sick leave, vacation leave and compensation time, may be eligible to utilize the Family Medical Leave Policy Act as outlined in *Section III – General Employee Benefits*. In order to determine if you qualify and are eligible for FMLA benefits please refer to this section.

## **7. Funeral or Bereavement Leave**

Funeral leave with pay up to a maximum of three (3) calendar days shall be granted to all City employees in cases of death in the immediate family only.

The definition of Immediate Family for the purpose of this leave shall include mother, father, brother, sister, son, daughter, grandchildren, grandparents, aunt, uncle, son-in-law, daughter-in-law, sister-in-law, brother-in-law, spouse, spouse's immediate family or those relatives who live in the employee's household including "step" relatives.

## **8. Maternity Leave**

Employees affected by pregnancy, childbirth or related medical conditions shall be treated the same for all employment-related purposes as persons disabled for non-pregnancy-related reasons. Therefore, accrued sick leave and vacation leave will be granted for maternity use after which leave without pay must be used, in conjunction with the City's Family Medical Leave Policy (FMLA). Nothing in this section is to conflict with the FMLA policy.

## **9. Military Leave**

Employees who are members of the National Guard or any of the reserve branches of the armed forces shall be granted leave at the rate of fifteen (15) days per calendar year, plus necessary travel time for annual training requirements or other duties performed in an official duty status. To the extent this leave is not used in a calendar year, it will be accumulated for use in the succeeding calendar year until it totals fifteen (15) days at the beginning of a calendar year. The leave shall be granted without loss of pay and in addition to regular vacation time. Each employee who requests military leave shall furnish a copy of his orders for his personnel file. These statements are in accordance with A.C.A. 21-4-212(a).

In the times of war or national emergency, full-time employees shall be granted leave with pay not to exceed 30 working days, after which leave without pay will be granted. This leave shall be granted in addition to all other leave the employee shall be entitled to A.C.A. 21-4-202(d) & 21-4-212(a). Certain rights to re-employment after service in the uniformed services, as well as provisions relating to pensions and health benefits are established in the Uniformed Services Employment and Re-employment Rights Act of 1994, 38 U.S.C. It is the City's policy to honor and comply with the provisions of those statutes.

Employees who desire to take a leave of absence for the purpose of participating in training programs made available by the National Guard or any of the reserve branches of the Armed Forces shall be entitled to such a leave of absence of fifteen (15) days plus necessary travel time for annual training requirements or other duties performed in an official duty status in any one (1) calendar year A.C.A. 21-4-102.

Whenever any employee is granted a leave of absence under the provisions of A.C.A. 21-4-102, they shall be entitled to their regular salary during the time they are away from their duties during such leave of absence. A.C.A. 21-4-102 (b)(1). Such leave of absence shall be in addition to the regular vacation time allowed to the employee. A.C.A. 21-4-102(b)(2).

#### **10. Family Medical Leave Act**

As provided by the 1993 Family and Medical Leave Act (FMLA), all eligible employees shall be entitled to take up to 12 weeks of unpaid, job-protected leave during any 12 month period for specified family and medical reasons. Family or medical leave will consist of appropriate accrued paid leave and unpaid leave. If leave is requested for an employee's own serious health condition, the employee must use all of his or her accrued sick leave, paid vacation leave or accrued compensatory leave. The remainder of the leave period will then consist of unpaid leave. The Department Head is responsible for designating leave, paid or unpaid, as FMLA-qualifying and giving notice of the designation to the employee.

Covered Family and Medical Reasons. An eligible employee shall be entitled to 12 weeks of unpaid leave during a 12-month period for one or more of the following reasons:

1. The birth and care of the employees child;
2. The placement of a child into an employee's family by adoption or by foster-care arrangement and to care for the newly placed child;
3. To care for an immediate family member (spouse, child, or parent) with a serious health condition; (FMLA defines Immediate Family Member as "An employee's spouse, children (son or daughter), and parents are immediate family members for the purposes of FMLA. The term "parent" does not include a parent "in-law". The terms son or daughter do not include individuals age 18 or over unless they are "incapable of self-care" because of a mental or physical disability that limits one or more of the "major life activities" as those terms are defined in regulations issued by the EEOC under the ADA); and

4. The inability of a city employee to work because of a serious health condition which renders the employee unable to perform the essential functions of his or her job.

A serious health condition is defined as an illness of a serious and long-term nature resulting in recurring or lengthy absences. Treatment of such an illness would occur in an inpatient situation at a hospital, hospice, or residential medical care facility, or would consist of continuing care provided by a licensed health care provider. A serious health condition is one that meets the definition in Title 29 of the Code of Federal Regulations, Section 825.114

An employee may take leave when a serious health condition makes the employee unable to perform the functions or his/her position. Employees with questions about whether specific illnesses are covered under this policy or under the City's sick leave policy are encouraged to meet with the Human Resource Coordinator.

An employee shall be entitled to family leave when he/she meets the following criteria:

1. The employee has worked for at least 12 months for the City. The 12 months need not have been consecutive. (If the employee was on the payroll for part of a week, the City will count the entire week. The City considers 52 weeks to be equal to 12 months.)
2. The employee has to have worked for the employer for at least 1,250 hours over the 12 months before the leave would begin.
3. When both spouses are employed by the City, they are jointly entitled to a combined total of 12 work weeks of family leave for the birth or placement of a child for adoption or foster care, and to care for a parent who has a serious health condition. (FMLA Sec. 2612)

The City will use a rolling 12 month period measured backward from the date an employee uses any FMLA leave. Each time an employee uses leave, the City computes the amount of leave the employee has taken under this policy, subtracts it from the 12 weeks, and the balance remaining is the amount the employee is entitled to take at the time. For example, if an employee has taken 5 weeks of leave in the past 12 months, he or she could take an additional 7 weeks under the policy.

City employees are required to provide advance leave notice in writing, to the employee's supervisor (at least 30 days) when leave is foreseeable (such as childbirth, adoption or planned medical treatment, or as early as possible if the leave taken is not foreseeable 30 days in advance). The City requires written medical certification that the leave is needed due to the employee's own serious health condition or that of a family member. A medical doctor's release is required for all City employees who return to work from a FMLA medical leave for a serious health condition. This medical release or fitness for duty statement is required if you are returning from a FMLA medical leave of one week or longer.

The City understands that upon return from FMLA leave, employees will be restored to their original or equivalent position with equivalent pay, benefits and other employment terms. Furthermore, the use of FMLA leave cannot result in the loss in any employment benefit that accrued prior to the start of an employee's leave. While off work on a FMLA absence, you are prohibited from working for another employer.



Additional information on this FMLA Policy and corresponding forms may be obtained through the Human Resource Coordinator.

#### **11. Leave Without Pay (Other than Military Leave)**

Request for leave of absence without pay shall be in writing and shall state specifically the reason for the request, the date desired to begin the leave, and the date of return. The request will be submitted by the employee to their respective Department Head. The Department Head shall recommend to the Human Resource Coordinator whether the request shall be granted, modified or denied. The Human Resource Coordinator shall then make a recommendation to the Mayor based upon the best interest of the City, giving due consideration to the reason given by the employee and the requirements of any applicable State and Federal laws. Based upon the recommendations the Mayor will make the final decision whether or not to grant a full-time, regular employee a leave of absence without pay not to exceed ninety (90) calendar days. Such time is unpaid leave. Such leaves may be granted after all accumulated time in leave banks have been exhausted. Sick leave may not be used for non-medical leave.

However, if an employee is a qualified individual with a disability, regardless of status, i.e., full-time or part-time, and he or she cannot return to work at the expiration of their leave, then the City will not automatically terminate the employee, but will consider additional unpaid leave as a reasonable accommodation to be evaluated on a case by case basis.

No sick leave, holiday, vacation benefits or any other fringe benefits shall accrue while the employee is on leave of absence without pay. The employee's anniversary date shall be adjusted to reflect the length of the absence for the purpose of computing longevity.

An employee on an approved leave of absence without pay may continue his or her insurance under COBRA options and the employee will be responsible for paying the full cost of such insurance (employee deduction and employer matching plus the administrative fee). The employee must pay in advance for each month of which he or she is absent, subject to limitations set by the insurance carrier. (This paragraph does not apply when taking Family Medical Leave). If an employee has reason to believe he/she may be covered by FMLA, he/she should submit an FMLA request to the Human Resource Department as soon as possible.

Any employee on an approved leave of absence without pay may continue his or her health insurance coverage through the City by paying the full cost to the City in advance for each month or portion thereof of which he or she is absent, subject to limitations set by the insurance carrier. Upon expiration of the leave of absence, the employee shall be reinstated in the position held at the time the leave was granted or another equivalent position.

Employees who fail to return to work on the date specified in the leave request without receiving an extension in advance are subject to disciplinary action up to and including termination. Any employee in an unauthorized leave without pay status for more than three working days will be considered to have abandoned their job.

## 12. Court Duty Leave

Employees will be granted leave with pay for witness or jury duty. Employees are also permitted to retain the allowance for services from the court for such service. To qualify for jury or witness duty leave, employees must submit to the Department Head a copy of the summons or other relevant court related paperwork as early as possible upon receipt thereof. In addition, proof of service must be submitted to the employee's supervisor when the employee's period of jury or witness duty is completed.

## 13. Miscellaneous Leave

The attendance of employees to seminars and training programs is considered part of continual professional development. Attendance to these meetings is to be pre-approved by the Department Head. In the event employees are required to attend these meetings at a location requiring an overnight stay or travel time in excess of the employee's normal work day, overtime will not be paid. However, the City will pay all reasonable out-of-pocket expenses for lodging, travel costs, meals etc. pursuant to its regular expense policy.

## 14. <sup>2</sup>Catastrophic Illness Bank

### Purpose:

Employees of the City of Russellville may donate part of their accrued sick leave, or vacation leave to a leave bank for employees who would otherwise need to take unpaid leave due to a serious health condition or, in rare cases, a personal catastrophe other than a serious health condition.

### Definitions:

**Catastrophic Illness:** means a medical condition of an employee or of the spouse, parent or child of the employee which may be claimed as a dependent under the Arkansas Income Tax Act of 1929, as certified by a physician that requires an employee's absence from duty for a prolonged period of time and which except for the catastrophic leave program, would result in substantial loss of income to the employee because of the exhaustion of all earned sick, vacation, and compensatory leave.

**Catastrophic Leave:** means paid leave which is transferred to a leave recipient from the City of Russellville Catastrophic Leave Bank. Catastrophic leave **may be granted only in hourly increments**. While a leave recipient is on Catastrophic Leave, he or she will receive normal benefits such as City of Russellville contributions to insurance and retirement.

**Catastrophic Leave Bank:** means a pool of accrued sick and vacation leave voluntarily donated by City of Russellville employees which may be approved by the City of Russellville for use by other employees.

**Catastrophic Leave Program:** means a program approved by the City Council and administered by the Human Resource Coordinator for the City of Russellville.

**Catastrophic Review Panel:** means a panel comprised of Department Heads or their designee that represent each department. These individuals will review applications and grant leave requests.

**Day:** means one regular work day. For 40-hour/week employees this means a minimum of eight hours; for 56-hour/week employees this means a minimum of eleven hours.

**Employee:** means a full-time employee (regularly scheduled to work full time hours equal to or in excess of 32 hours per work week). Employees who do not fit this definition for full-time are not eligible to participate as a donor or recipient in the Catastrophic Leave Bank.

**Leave Contributions:** means hours donated by employees to be placed in the catastrophic leave bank. The total amount of hours contributed to the bank shall not exceed 1500 hours. The balance of donated hours shall roll forward from calendar year to calendar year but not to exceed 1500 hours.

**Leave Donor:** means an employee who has voluntarily provided a written request to donate one day of accrued vacation and/or sick leave to the City's Catastrophic Leave Bank per calendar year.

**Leave Recipient:** means a current employee for whom the review panel has approved an application to receive Catastrophic Leave from the City's Catastrophic Leave Bank.

**Medical Condition:** means a personal emergency limited to catastrophic and debilitating medical situations, severely complicated disabilities and severe accident cases which cause the employee to be incapacitated require a prolonged period of recuperation and require the employee's absence from duty as documented by the attending physician. **Routine disabilities or disabilities resulting from elective surgery do not qualify for catastrophic leave.**

**Onset of Illness:** means the initial beginning or start, as certified by a physician, of the medical condition which created the need for the catastrophic leave request.

**Prolonged Period of Time:** means a continuous period of time whereby a medical condition prevents the employee from performing the employee's duties. **A prolonged period of time is interpreted to be a minimum of thirty (30) days.**

**Substantial Loss of Income:** means a continuous period of time where the employee will not have otherwise been compensated by the City due to a medical condition and the exhaustion of all earned sick, vacation, and compensatory leave, and such medical condition is not covered and compensated by Worker's Compensation or disability insurance.

**Eligibility:**

The employee requesting donations of leave must:

- Be a full-time employee and worked for the City a minimum of one year (may not be continuous, it must be a full-time regular position);

- Have exhausted all earned leave (sick, vacation and compensatory); and
- Have been a previous donor of the leave bank and has donated one day of leave to the bank during the past calendar year; and
- Have not have been disciplined for any leave abuse during the past year of employment.
- Employee must have a minimum of 5 days combined sick and vacation leave at the onset of illness/injury.

**Requests for leave from the bank can be made for:**

- The employee's own serious health condition as defined under the federal Family and Medical Leave Act, or
- The serious health condition of the employee's spouse, parent, or child.
- Employee must provide a completed certified physicians statement
- If a request is for a personal catastrophe out of the employees control and the employee does not meet the requirements as stated in section IV. Then the Department Head may present to the review panel documentation and support of the special permission to consider the employee's request.

**Review Panel:**

The review panel will consist of the Department Head from each department or their designee and the Human Resource Coordinator. The City Attorney shall serve as a legal advisor to the review panel.

**The Review Panels Charge:**

- Review Catastrophic leave requests
- Determine eligibility
- Determination of continuing eligibility as provide herein
- Recommend action
- Publicize requests for donations throughout departments
- All decisions of the review panel are final

**Donation restrictions:**

- Donations shall be made in one day increments.
- Donations to the Leave Bank shall occur one time per year during the last payroll period of the calendar year.
- Should a special catastrophic circumstance arise, where the Leave Bank balance will not support the request during the calendar, then the Review Panel may solicit donors to the Leave Bank to assist with the request. The employees will then be allowed to donate one additional day.
- NO employee shall be allowed to be a leave donor if such donation will reduce that employee's accrued sick and vacation leave to less than five days (Exception: an employee who is terminating employment may donate all accrued leave time and is not required to maintain the five (5) day leave balance).

- Accrued leave may be donated in no less than hourly increments.
- Employees donating leave must reserve a minimum of five sick days for their own needs. Further, employees donating vacation leave must reserve enough vacation days to enable them to take a minimum of five vacation days off in each calendar year. Exception: Employees terminating employment may donate all accrued leave time.

**Privacy:**

The City of Russellville observes all HIPAA rules and regulations regarding privacy information concerning the employee and about the employees need to utilize the leave bank. Further, the City provides no assurance that co-workers will not reveal an employee's name if they have figured out who the employee is—for example, based on the timing of an employee's absence.

**Catastrophic Leave Bank Guidelines:**

The review panel shall utilize the following guidelines to review Catastrophic Leave Bank Requests:

- a) No employee shall be eligible to be awarded Catastrophic Leave unless all accrued vacation, sick, and compensatory time have been exhausted; the employee has been employed by the City for one (1) year (may not be continuous, it must be a full-time regular position); at the onset of the illness or injury the employee had to his or her credit at least five (5) days of combined sick and vacation leave and has exhausted all such leave; and the employee has not been disciplined for any leave abuse during the past year of employment.
- b) No employee shall be eligible for approved Catastrophic Leave in excess of six continuous months unless it can be demonstrated that the employee has been denied disability retirement or Social Security benefits.
- c) If the illness or injury is that of an employee and is covered by Worker's Compensation or disability insurance, the compensation based on catastrophic leave when combined with the weekly worker's compensation benefit or monthly disability benefit received by the employee shall not exceed the compensation being received by the employee at the onset of the illness or injury.
- d) Grants of Catastrophic Leave in excess of sixty (60) days shall be subject to review by the review panel to determine the employee's continuing eligibility at the expiration of the original sixty (60) day period and every thirty (30) days thereafter for the duration of the leave request.
- e) No employee shall be approved for Catastrophic Leave unless the employee has provided an acceptable medical certificate from an attending physician supporting the continued absence and setting forth that the employee is and will continue to be incapacitated from performing the employee's duties due to a catastrophic illness. Information relative to the employee's assigned duties, such as functional job descriptions, must be made available to the attending physician prior to receiving an opinion.

- f) Catastrophic Leave will not be approved for the catastrophic illness of a spouse, dependent child, or parent without acceptable certification by the attending physician.
- g) In no case shall Catastrophic Leave be granted beyond the date the attending physician certifies that the employee is able to return to work.
- h) Catastrophic Leave which would result in a negative balance in the City's Catastrophic Leave Bank shall not be approved.
- i) Determinations by the Catastrophic Leave Review Panel shall be final. Nothing however shall prevent the Mayor from taking into account the impact on the City's operation in granting or denying Catastrophic Leave or in modifying previously approved Catastrophic Leave, if in the judgment of the Mayor such approved leave would seriously impact the City's operation. Decisions made by the Mayor may be appealed through normal grievance procedures.
- j) Applications for Catastrophic Leave shall be reviewed on a first filed, first considered basis.
- k) No employee shall be approved for Catastrophic Leave unless the employee is or is reasonably expected to be on leave without pay status. Catastrophic Leave shall not be awarded retroactively.

**Prohibition of Coercion:**

An employee may not directly or indirectly intimidate, threaten, coerce, or attempt to intimidate, threaten or coerce, any other employee for the purpose of interfering with such employee with respect to donating, receiving or using vacation or sick leave.

**General Rules:**

- a) Eligible employees on Catastrophic leave will continue to accrue leave in accordance with existing leave policies and will receive normal benefits such as City contributions to insurance and retirement. Employees on Catastrophic Leave will also continue to draw their normal rate of pay. Catastrophic Leave will not change an employee's increase eligibility date; however, the award of the next merit salary increase will be delayed beyond the anniversary date for the same number of work days that the employee was on leave without pay and Catastrophic Leave. Any leave earned while an employee is on Catastrophic Leave must, as a condition of voluntary participation in the program, be assigned to the Catastrophic Leave Bank, and any restrictions concerning the maintenance of minimum leave balances shall not apply to such assignment.
- b) Any unused Catastrophic Leave will be returned to the Catastrophic Leave Bank in the event the employee terminates employment, retires, or returns to work prior to the expiration of the previously approved Catastrophic Leave period. An employee may be dismissed if such employee fails to report to work promptly at the expiration of the period of approved/granted Catastrophic Leave. Nothing, however, shall prevent the City from accepting satisfactory reasons provide by the employee, in advance of the date the employee is scheduled to return to work, and from granting leave without pay status to an employee prior to or after the expiration of such Catastrophic Leave.

- c) No employee shall be allowed to donate leave to the City's bank if such donation will reduce that employee's combined accrued sick leave and vacation leave to less than five (5) days. Similarly, Catastrophic Leave may be granted only in hourly increments. Unused hours awarded Catastrophic Leave will be returned to the City's Catastrophic Leave Bank.
- d) Any granted leave will work concurrently with the FMLA policy established in the Personnel Policy and Procedure Handbook.
- e) The Catastrophic Leave Bank does not create any expectation or promise of continued employment.

**Record Keeping Requirements:**

The City's Catastrophic Leave Bank will include a record keeping procedure which tracks:

- The amount of leave donated by each employee, the rate of pay and dollar value of such donated leave.
- The amount of Catastrophic Leave awarded, including the name of the recipient, employee number, and rate of pay.
- Any other such data as required by the Finance Director.

These records should be retained by the City subject to audit by the Department of Finance and Administration and the Division of Legislative Audit.

**Funding Sources:**

The employee may donate no less than one day of sick leave and/or vacation leave to the leave bank. When the leave is needed for a catastrophic illness, a Leave Request Form will be completed by the leave recipient and concurred by the Department Head. Salary payment to the leave recipient will be paid from the recipient's departmental budget.

**Forms:**

All forms needed to apply for leave or to donate to the bank are available from the Human Resources Coordinator. The forms consist of the Recipient Application Form, Employee Donor Form, Physician's Certification Form, and the Release from Liability Form.

**15. Employee Health Benefits**

The City of Russellville offers a group benefit plan for all its full-time employees (regularly scheduled to work full-time hours equal to or in excess of 32 hours per work week). The City pays a portion of the benefit plan (health, dental, vision, and life) premiums. In addition the City pays retirement benefits for employees. Employees are given the opportunity to participate in voluntary products (AFLAC, 457 retirement plans, legal insurance, etc.) Detailed information on group benefit plans is provided to new employee at orientation and available from the Human Resources Coordinator.

**16. Continuance of Medical Coverage (COBRA)**

Medical Coverage for the employee and/or dependents under the current plan may cease as a result of

the following events:

- Termination of employment or the reduction of hours of employment;
- The death of the employee
- Divorce or legal separation; and
- Marriage of dependent child or upon attaining the age 19 (23 if a full-time student).

For those employees or dependents who lose coverage as outlined above, the law requires that the employee be afforded the opportunity to maintain continuation coverage for three years unless the employee lost group health coverage because of a termination of employment or reduction in hours of employment. In that case, the required continuation coverage period is 18 months. Coverage may continue provided that the premium is paid in full each month. Additional information and forms may be obtained from the Mayor's office.

## **17. Educational Benefit**

### **(Employees Hired Before July 19, 2010)**

The Education Benefit has been discontinued effective July 19, 2010. This will affect employees hired after this date only. All full-time employees who are validly receiving the Education Benefit based on hours earned and/or degree received from an accredited college or university with a cumulative grade point average of 2.0 or greater will continue to receive the benefit as set forth below.

All full-time employees hired on or before July 19, 2010 who are validly receiving the Education Benefit and continue to pursue their degree will receive remuneration as set forth below by submitting a certified copy of all transcripts each semester to his/her Department Head and Human Resources along with a request for benefits. A cumulative grade point average of 2.0 or greater must be maintained in order to continue to receive this benefit.

Employees who are currently enrolled and actively pursuing a degree from an accredited College or University but have not met the minimum requirement of 30 hours to receive remuneration, must present a certified copy of his/her transcript and a college approved degree plan to his/her Department Head and Human Resources on or before August 11, 2010 to be eligible for the Education Benefit. "Actively pursuing" is defined as having been enrolled in an accredited college or university in the Spring 2010 Semester and enrolling in the Fall 2010 Semester, as well as continuing to enroll and complete college courses in consecutive Spring and Fall Semesters maintaining a minimum cumulative grade point average of 2.0 until a degree has been obtained.

1. A certified copy of all transcripts must accompany a request for benefits. All requests will be reviewed and a recommendation made by the Department Head for remuneration. In order to be accepted, hours must be from an accredited college or university. The policy will apply to all four (4) year institutions and two (2) year institutions. The final test for credit from a two (2) year institution will be the transferability of credit hours to a four (4) year institution.
2. Physical Education hours will be paid to a total of four (4) hours unless the candidate is a Physical Education major.
3. An overall academic average of "C" or 2.0 must be maintained for educational benefits. No



failing grades or withdrawals will be accepted.

4. Remuneration will be as follows:
  - a. For 30 to 59 college hours, \$20.00 dollars per month.
  - b. For 60 to 89 college hours, \$40.00 dollars per month.
  - c. For 90 to completion of a four (4) year degree, \$60.00 dollars per month.
  - d. Completion of a four (4) year degree, \$80.00 dollars per month.
5. All employees receiving educational benefits will be required to present a university approved degree plan with their application.

College credit hours earned through certifications or licenses that the employee will be compensated for through certificate pay are not eligible for additional compensation through the educational benefit program unless that employee can demonstrate that he/she is pursuing a four year degree and transferring those hours toward that degree.

Elected officials are not eligible to receive the Education Benefit.

\*\* All requests shall be reviewed by the Human Resources Coordinator and approved by the Department Head and Mayor.

## **IV) MATTERS AFFECTING THE STATUS OF EMPLOYEES**

### **1. Attendance**

Employees shall be in attendance at their workstations in accordance with the rules and regulations established by Department Head. All departments shall keep daily attendance records of all employees, which shall be reported to the Mayor's Office on the form and on the date specified by the Mayor's Office, Human Resource Coordinator and Payroll Clerk.

### **2. Work Hours**

Except for police officers and firefighters, work hours for all employees shall be forty (40) hours per week, which begin each Sunday, 12:01 a.m. Work hours for police and fire employees shall be in accordance with state statutes and departmental regulations.

Whenever possible, employee work schedules may provide a rest period (break not to exceed fifteen (15) minutes) during each four hour shift. Reasonable time off for a meal will be provided not to exceed one (1) hour.

The City reserves the right to adjust and change hours of work, days of work and schedules in order to fulfill its responsibility to the citizens of Russellville. In the event of an emergency, previously scheduled hours of work, days of work and work arrangements may be altered at the discretion of the Department Head, with approval from the Mayor. Changes in work schedules will be announced as far in advance as possible.

### **3. Vacancies and Promotions**

It is the intent of the City of Russellville to hire and promote the most qualified applicant for all vacant positions. To give the employees of the City of Russellville an opportunity to apply for job vacancies, announcements of job openings will be posted on employee bulletin boards and the City's website. In accordance with E.E.O. guidelines and policies, notice of job vacancies will be sent to the appropriate news media and employment agencies throughout the relevant labor market. A job description of each vacant position will be provided upon request.

Promotions shall be made only to existing positions that are not filled by a full-time employee. The final decision regarding promotions will be made to the Mayor on a form submitted by the Department Head prior to payroll.

### **4. Training**

The City of Russellville is committed to continuing an on-going training for all employees. However, in addition to formal training provided by the City for various positions, each employee has a responsibility of ascertaining for himself/herself that he/she is possessed with sufficient training to enable him/her to perform his/her job. In the event that the employee feels that additional training is needed, he/she should notify his/her Department Head. The City will normally assume expenses incurred in on-the-job training.

## **5. Performance Evaluations**

To ensure that employees perform their job to the best of their ability, it is important that they be recognized for good performance and that they receive appropriate suggestions for improvement when necessary. Consistent with this goal, an employee's performance will be evaluated by the supervisors on an on-going basis. Final evaluations will be completed annually prior to the submission of the following year's budget.

All written performance reviews will be based on the employee's overall performance in relation to the employee's job responsibilities and will also take into account the employee's conduct, demeanor and record of attendance along with any tardiness. In addition to regular performance evaluations described above, special written performance evaluations may be conducted by the employee's supervisor at any time to advise the employee of his/her current level of performance and where appropriate, the existence of performance or disciplinary problems and solutions. It should be noted that a performance evaluation does not necessarily mean a salary adjustment. Performance evaluations will be maintained in the City's official files in the Human Resources Department and in the Department Head's office.

## **6. Job Safety**

Safety is largely the use of good judgment and the practice of good work habits. It requires good judgment to know the safe way and to perform your job safely. If an employee is not positive of which way is the safest; he should ask his supervisor or Department Head for the correct method.

Unsafe conduct is misconduct. The following safety rules should always be observed:

- Follow all departmental safety rules.
- Use all mechanical safeguards on or for employee equipment.
- Immediately cease using and report any faulty or potentially faulty equipment to the supervisor or Department Head.
- Immediately report any unsafe or potentially unsafe working condition or equipment.
- Immediately report any and every accident to the supervisor or Department Head.

## **7. Occupational Injuries**

All employees of the City are covered under the Arkansas State Workers' Compensation Law. Any employee incurring an "on-the-job" injury should immediately notify his supervisor who will arrange for appropriate medical treatment and prepare the necessary reports required in order for the employee to be compensated. Rules and regulations concerning Workers' Compensation have been posted on the Department bulletin boards A.C.A. 11-9-101 et seq.

## **8. Accidental Injury**

If any full-time employee is involved in an accident (not job connected) and the injury sustained in such accident necessitates that the employee be absent from work, the employee shall be entitled to receive

pay at a regular salary for the number of days accumulated sick leave credited to the employee at the time the accident occurred. All injuries (even those not requiring time away from work and non-work related) should be reported to an employee's supervisor.

## **9. Refusal To Work**

A City employee's commitment is to public service. Any work stoppage, slowdown, strike or other intentional interruption of the operations of the City or other refusal to work shall cause the employee to forfeit his or her employment and result in the termination of the employee from the City of Russellville.

## **10. Resignation/Termination/Retirement**

**Service Retirement.** Voluntary termination after having satisfied the age and length of employment requirements of the City's retirement plan.

Employees who plan to retire are urged to provide the City with a minimum of three (3) months notice. This will allow ample time for the processing of appropriate pension forms to ensure that retirement benefits, which an employee may be entitled, will commence in a timely manner.

**Employee – Initiated Resignation.** Voluntary termination for any reason other than formal retirement.

**Discharge.** Termination of an employee by the City.

**Layoff.** Termination of an employee by the City for lack of work, lack of funds, or other changes that have taken place. Work schedules should be planned to keep periodic or recurring layoffs to a minimum.

**Resignation.** Employees desiring to terminate their employment relationship with the City of Russellville are urged (but not required) to notify the City at least two (2) weeks in advance of their intended termination. Such notice should preferably be given in writing to the employee's Department Head or supervisor. Proper notice generally allows the City sufficient time to calculate all final accrued monies due the employee for his or her final paycheck. Without adequate notice, however, the employee may have to wait until after the end of the next normal pay period to receive such payments.

As stated in the *At-Will Employer Section* of this Handbook, all employment relationships with the City of Russellville are on an at-will basis. Although the City of Russellville hopes that the relationship with employees are rewarding, the City reserves the right to terminate the employment relationship of any employee at any time.

## **11. Exit Process**

The official date of termination will be the last day the employee reports for work. Employees shall receive pay for work performed through the last hour worked and for unused benefits as stipulated by policy and laws governing such payments. Termination pay shall be reduced by any authorized legal deduction and any other amounts due the City. An employee's final pay will not be direct deposited and

a paper check will be issued.

Before the final paycheck is issued to the employee, the employee shall be required to return all City equipment and property to the appropriate issuing authority. Failure to return City equipment or property to the issuing authority prior to the employee's last day worked will result in a deduction of the value of this property from the employee's final paycheck (an authorization must be signed by the employee.)

Benefits such as health care, dental and life insurance cease the last day of the month of termination. Refer to the COBRA or Retirement section in this handbook for the continuation of health benefits. All employees shall meet with the Human Resources Coordinator for an exit interview. All termination forms must be submitted to Human Resources for processing.

## **12. Reduction in Force**

In the event that a reduction in the work force becomes necessary, consideration will be given to the quality of each employee's past performance and the needs of the City government, as well as seniority, in determining those employees to be retained. Employees dismissed because of reduction in the work force shall be given first consideration for employment to fill vacancies occurring after such reduction in the work force. Uniformed employees will be governed by the Civil Service Rules and Regulation regarding reduction in force.

## V) STANDARDS OF CONDUCT

### 1. Conduct Towards The Public

Employees of the City of Russellville shall at all times be civil, orderly and courteous in their conduct and demeanor. In each contact with the public, an employee must be aware that his/her appearance, actions and statements are in essence those of the City.

In dealing with the public, each employee must attempt to make his conduct one which inspires respect for both himself/herself and the City and further, one which generates the cooperation and approval of the public.

Not everyone an employee may meet in the course of his or her duties will be courteous. However, an employee should treat the public as he would like to be treated...with courtesy, patience, respect and understanding. This attitude or approach to public service cannot be overemphasized.

When an employee is not certain of the correct response to an inquiry from the public, he or she should refer the inquiry to the individual or the department that can provide the most satisfactory response to the inquiry. It is better to admit lack of knowledge than to provide erroneous information.

### 2. Handling Media Requests

With the exception of routine events and basic information that is readily available to the public, all requests for interviews or information from the media are to be routed through the Department Head or City Attorney. Media requests include anything intended to be published or viewable to others in some form such as television, radio, newspapers, newsletters, and Web sites. When responding to media requests, employees should follow these steps:

- If the request is for routine or public information (such as a meeting time or agenda) provide the information and notify the Department Head or City Attorney of the request
- If the request is regarding information about City personnel, potential litigation, controversial issues, opinion on a City matter, or if you are unsure if it is a "routine" question, forward the request to the Department Head or City Attorney. An appropriate response would be, "I'm sorry, I don't have the full information regarding that issue. Let me take some basic information and submit your request to the appropriate person who will get back to you as soon as he/she can.
- Request the media representative's name, questions, deadline, and contact information.

### **3. Communicating on Behalf of the City**

The Department Head, Information Officer, City Attorney and Mayor are authorized to communicate on behalf of the City in interviews, publications, news releases, on social media sites, and related communications. Other employees may represent the City if approved by one of these individuals to communicate on a specific topic. When speaking on behalf of the City:

- Employees must identify themselves as representing the City. Account names on social media sites must clearly be connected to the City and approved by the Mayor, Department Head and/or City Attorney.
- All information must be respectful, professional and truthful. Corrections must be issued when needed.
- Employees need to notify the Department Head or City Attorney if they will be using their personal technology (cell phones, home computer, cameras, etc.) for City business. Employees should be aware that the data transmitted or stored may be subject to the Freedom of Information Act.

### **4. Additional Guidelines for Personal Communication**

It is important for employees to remember that the personal communications of employees may reflect on the City, especially if employees are commenting on City business. The following guidelines apply to personal communications including various forms such as social media (Facebook, Twitter, blogs, YouTube, etc.), letters to the editor of newspapers, and personal endorsements.

- Remember that what you write is public, and will be so for a long time. It may also be spread to large audiences. Use common sense when using email or social media sites. It is a good idea to refrain from sending or posting information that you would not want your boss or employer to read, or that you would be embarrassed to see in the newspaper.
- The City of Russellville expects its employees to be truthful, courteous and respectful towards supervisors, co-workers, citizens, customers and the persons associated with the City. Do not engage in name-calling or personal attacks.
- If you publish something relating to City business, identify yourself and use a disclaimer such as, "I am an employee of the City of Russellville. However, these are my own opinions and do not represent those of the City of Russellville".
- City resources, working time, or official City positions cannot be used for personal profit or business interests, or to participate in personal political activity. For example, a building inspector could not use the City's logo, email, or working time to promote his/her side business as a plumber.

### **5. Uniforms and Personal Appearance**

Uniforms or uniform allowance will be provided to personnel of certain departments as authorized by the Department Head. Personnel who are provided uniforms or uniform allowance shall wear uniforms at all times while on duty. Uniforms shall be kept as neat and presentable as working conditions permit.

Employees not required to wear uniforms should dress in appropriate professional departmental attire.

Because our work environment serves the citizens of Russellville, professional business casual attire is essential.

Business casual attire includes suits, pants, jackets, shirts, skirts and dresses (no shorter than two inches above the knee) that are appropriate for a business environment. Examples of appropriate business attire include a polo shirt with pressed khaki pants, a sweater and shirt with corduroy pants, and a jacket, sweater and skirt. Jeans, t-shirts, shirts without collars, spaghetti straps, shorts, and footwear such as flip flops and sneakers are not appropriate for business casual attire. Jeans with a shirt containing the City logo may be appropriate for some employees based upon the nature of work performed e.g. maintenance worker, mechanic, operations worker, etc. If an employee is unsure what constitutes appropriate attire, then the employee should check with his/her supervisor or department head.

Employees are expected to demonstrate good judgment and professional taste. Courtesy to coworkers and your professional image to citizens should be the factors that are used to assess that you are dressing in business attire that is appropriate.

The City of Russellville allows employees to dress casually on Fridays. Casual dress is defined as khakis or corduroys, jeans (must be clean, free of rips, tears, fraying and may not be excessively tight or revealing), capris, polo collar knit shirts, oxford shirts, city logo wear, short-sleeve blouses or shirts, blazers or sport coats, jackets or sweaters. Deck shoes, tennis shoes, and sandals (excluding flip-flops) may be worn on casual Fridays.

The following are examples of inappropriate attire: sweatpants, leggings, exercise wear, shorts, mini-skirts, low-rise jeans, t-shirts with slogans or writing other than the city logo, sweatshirts, beachwear, crop tops, midriffs, spaghetti straps, and flip flops.

## **6. Nondiscrimination/Unlawful Harassment**

The City of Russellville expressly prohibits any form of unlawful employee harassment based on race, religion, color, gender, national origin, age, disability or status as a veteran or special disabled veteran.

Harassment is any annoying, persistent act or actions that single out an employee, to that employee's objection to his or her detriment, because of race, religion, national origin, age (over 40) or disability. Such conduct by an employee could result in disciplinary action, up to and including termination of employment.

Supervisors and Department Heads are responsible for ensuring that our workplace remains harassment-free and for enforcing this policy. Supervisors and Department Heads that engage in or tolerate harassment are subject to disciplinary action, up to and including termination of employment. Additionally, supervisors and Department Heads should be advised that they may be held personally liable by the courts if they are found to have failed to carry out their duty according to the law to prevent and correct workplace harassment.

While it is not easy to define precisely harassment, it includes any physical, verbal and visual conduct that creates an intimidating, offensive or hostile environment which interferes with work performance.



Harassment may include any of the following:

- a. Verbal abuse or ridicule.
- b. Interference with an employee's work.
- c. Displaying or distributing sexually offensive, racist or other derogatory materials.
- d. Discriminating against any employee in work assignments or job related training because of one of the above-referenced conducts.
- e. Intimate physical contact.
- f. Sexual harassment, simply stated, is any unwelcome sexual advances, requests for sexual favors or verbal or physical conduct of a sexual nature, such as making offensive sexual, racial or other derogatory innuendoes/statements or exposing oneself, leering, gestures of a sexual nature, attempting to look down a woman's dress or blouse, displaying nude pictures, touching or adjusting the victim's clothes, kisses and hugs.
- g. Demand favors (sexual or otherwise), explicitly or implicitly, as a condition of employment, promotion, transfer or any other term or condition of employment.
- h. Retaliation for having reported or threatened to report harassment.

It is every employee's responsibility to ensure that his or her conduct does not include or imply harassment in any form. If, however, harassment or suspected harassment has or is taking place, the following will apply:

- a. An employee should report harassment or suspected harassment to the Department Head or the Mayor. This complaint should be made in writing.
- b. Anytime an employee has knowledge of harassment he/she shall inform the Department Head or the Mayor in writing, who will then determine whether further investigation is warranted.
- c. Each complaint shall be fully investigated and a determination of the facts and an appropriate response will be made on a case-by-case basis.

The City of Russellville will not tolerate harassment or any form of retaliation against an employee who has either instigated or cooperated in the investigation of alleged harassment. Disciplinary action will be taken against offenders.

## **7. Hazing Policy**

The City of Russellville is committed to providing and maintaining a discrimination-free work environment for all of our employees and seeks to promote a safe environment where employees may function without compromise to their health, safety, and welfare.

It is, therefore, the city's policy that work related hazing is prohibited.

The City of Russellville has adopted a policy of zero tolerance for hazing of fellow employees. Employees who engage in hazing acts and supervisors who knowingly fail to act to prohibit prevent or investigate them, will be subject to appropriate disciplinary action up to and including termination of employment.

Any retaliation or sanction towards an employee for reporting hazing activity is prohibited.

To report hazing, you should contact your supervisor, the Mayor or human resources.

## **8. Workplace Violence Policy**

The City of Russellville is committed to providing a safe and healthy workplace for the benefits of its employees and the public. The City of Russellville is also committed to preventing violence against persons receiving City services and participating in City programs.

The City of Russellville has zero tolerance of Workplace Violence. Employees shall report instances or threats of violence to their supervisors. Supervisors shall record, investigate and report instances or threats of violence to law enforcement, as appropriate, and to the Human Resources Director.

All threats will be taken seriously and must be reported immediately.

Employees displaying a tendency to engage in violent, abusive or threatening behavior will also be subject to disciplinary action, up to and including termination of employment

## **9. Guidelines For Appropriate Conduct**

An employee of the City of Russellville is expected to accept certain responsibilities, adhere to acceptable principals in matters of personal conduct and exhibit a high degree of personal integrity at all times. This not only involves a sincere respect for the rights and feelings of others, but also demands that both while at work and in their personal life, an employee refrain from behavior that might be harmful to the employee, his co-workers, the citizens and/or the City.

Whether an employee is on duty or off duty, his or her conduct reflects on the City. An employee is encouraged to observe the highest standards of professionalism at all time.

Types of behavior and conduct that the City considers inappropriate include, but are not limited to the following:

- Falsifying employment or other City records.
- Violating any City nondiscrimination and/or harassment policy.
- Soliciting or accepting gratuities from citizens.
- Excessive absenteeism or tardiness.
- Excessive, unnecessary or unauthorized use of City property.
- Reporting to work intoxicated or under the influence of non-prescribed drugs and illegal manufacture, possession, use, sale, distribution or transportation of drugs.
- Buying or using alcoholic beverages while on City property or using alcoholic beverages while engaged in City business on City premises.

- Fighting or using obscene, abusive or threatening language or gestures.
- Theft of property from co-workers, citizens or the City of Russellville.
- Unauthorized possession of firearms on City premises or while on City business.
- Disregarding safety or security regulations.
- Insubordination.
- Neglect or carelessness resulting in damage to City property or equipment.

Should an employee's performance, work habits, overall attitude, conduct or demeanor become unsatisfactory and in violation of any of the above referenced items or any other City policies, rules or regulations, an employee will be subject to disciplinary action up to and including dismissal.

#### **10. Prohibited Conduct**

City employees and officials are prohibited from allocating city funds, materials, use of city-owned equipment or vehicles, city employees' labor, by-products of municipal road and drainage projects such as fill dirt, gravel, asphalt, etc. or any other city-owned article, product or service to benefit private corporations, associations, institutions, or individuals. Any employee who knowingly participates in this conduct shall be subject to disciplinary action up to and including termination. Violations of this section may also violate state and federal criminal law and could therefore potentially result in prosecution by the appropriate authorities.

#### **11. Conflict of Interest**

A city employee or official shall be deemed to have a conflict of interest regarding any business organization, professional association or proprietorship in which the city employee or official, or the city employee or official's parent, spouse or child has ownership of more than five percent of a business or is employed by the business. No employee or official in city government with a conflict of interest shall be a party to awarding city contracts or purchases for either goods or services to such a business. However, no firm shall be precluded from doing business with the city so long as the employee or official does not solicit business, make proposals or presentations on behalf of the business to any other city employees or officials, or otherwise participates in any meeting at which discussion or decisions are made regarding city business with the firm in which the official has a financial interest. The official may comply with this requirement by reporting the conflict of interest and exiting the room in which the meeting is conducted for the period of discussion or decision regarding a purchase of goods or services from the firm with which there is a conflict.

#### **12. Complaint Reporting and Investigation**

The City of Russellville is committed to diligently resolving complaints and grievances made by employees. All complaints will be promptly and impartially investigated. In order for this process to occur, the following steps should be taken:

- An employee must report a complaint within 30 working days of the occurrence, in writing on the appropriate city form (Appendix A), to his/her immediate supervisor.
- If the immediate supervisor is the source of the alleged complaint, the employee may report his/her complaint to the department head.

- In the unlikely event that the immediate supervisor, and department head are the source of the complaint, the employee may report his/her complaint to the Mayor.
- Any supervisor or department head that learns of or receives a complaint is obligated to fully investigate and a determination of the facts and an appropriate response will be made on a case-by-case basis.
- If it is determined that the complaint has merit, the City shall take appropriate corrective disciplinary action, which may include but not be limited to, verbal and/or written warnings, probation, suspension, demotion and/or termination.
- No employee who files a complaint will suffer retaliation as a result, nor will any person involved in the investigation.
- An employee found to have filed a complaint in bad faith or intentionally or willfully falsely reported a complaint shall be subject to disciplinary action.
- If an employee is not satisfied with the determination made after a thorough investigation, he/she may appeal to the Mayor. The Mayor shall make the final determination.

### **13. Absenteeism and Tardiness**

The City of Russellville expects all of its employees to be at work on time and on a regular basis. When employees are unnecessarily absent or late, it is expensive, disruptive and places an unnecessary burden on fellow employees, supervisors, city government as a whole, and the taxpayers that receive city services. Should an employee be unable to report to work on time because of illness or personal emergency, that employee should give "proper notice" to his or her supervisor. Unexcused absences and tardiness could result in disciplinary action up to and including termination.

### **14. Outside Employment or Moonlighting**

If any employee is considering additional employment, he or she should obtain written approval from the Department Head prior to taking a second job and an outside employment form will be placed in the employee's personnel file. If an employee of the City participates in additional employment, it must not interfere with the proper and effective performance of his or her job with the City, nor should it be of a nature that adversely affects the image of the City or of a type that may be construed by the public to be an official act of the City or in any way violate the City's policies. Employees are not permitted to engage in outside employment or business during those hours in which they are compensated by the City. Firefighters working twenty-four (24) hour shifts shall not be engaged in outside employment during the twelve (12) hours prior to their scheduled tour of duty. City uniforms shall not be worn while engaged in outside employment. City employees shall not use city-owned equipment (vehicles, etc.), office space or supplies or in any manner in connection with outside employment. However, civil service employees may use City owned uniforms, equipment, office space or supplies for outside employment only when expressly authorized by their respective Chief and the Mayor and if there are no additional costs to the City.

Department Heads wishing to participate in employment outside the City of Russellville must go through the same process and be held to the same standards as a regular employee, getting their approval in writing from the Mayor.

Authorizations for outside employment must be completed and placed in each employee's personnel file on an annual basis during open enrollment.

If an employee is injured while engaged in outside employment, he/she must report that injury to his/her supervisor. A doctor's note may also be requested in order to ensure that the employee is fit for duty.

**15. Outside Compensation/Gifts**

No reward, gift or other form of remuneration in addition to regular compensation shall be received from any source by employees of the City for the performance of their duties as employees of the City. If any unsolicited reward, gift or other form of remuneration in excess of \$50 in value is made available to any employee, it shall be turned over to the Department Head and used for official city purposes. Gifts of food in connection with holidays or gifts of nominal value (ball caps, ink pens, etc.) shall not violate this code provision. Said policy applies to all and/or donations except those received by the Police/Fire Department under the provisions of Ordinance #1037.

**16. Use of Narcotics, Alcohol and Tobacco**

Employees of the City of Russellville shall not use habit-forming drugs, narcotics or controlled substances unless a physician properly prescribes such drugs.

The consumption of alcohol or other intoxicants is prohibited while an employee is on duty. Employees are not to consume intoxicants while off duty to such a degree that it interferes with or impairs the performance of his or her duties. Employees involved in any unauthorized use, possession, transfer, sale, manufacture, distribution, purchase or presence of drugs, alcohol or drug paraphernalia on City property or reporting to work with detectable levels of illegal drugs or alcohol will be subject to disciplinary action including termination.

The City's Smoking Policy Ordinance #1847 shall be in accordance with city ordinance relating thereto. Use of Tobacco products is not allowed in City owned, leased or operated buildings and offices, City Parks, Recreational Facilities, Vehicles, or within 50 feet of said areas.

**17. <sup>3</sup>Drug-Free Workplace**

It is the policy of the City of Russellville to create a drug-free workplace in keeping with the spirit and intent of the Drug-Free Workplace Act of 1988 and its amendments. The use of controlled substances is inconsistent with the behavior expected of employees, subjects all employees and visitors to City facilities to unacceptable safety risks and undermines the City's ability to operate effectively and efficiently. Therefore, the unlawful manufacture, distribution, dispensation, possession, sale or use of a controlled substance in the workplace or while engaged in City business for the City of Russellville or on the City's premises is strictly prohibited. Such conduct is also prohibited during non-working hours to the extent that, in the opinion of the City, it impairs an employee's ability to perform on the job or threatens the reputation or integrity of the City.

To educate employees on the danger of drug abuse, the City has established a drug-free awareness program. Periodically, employees will be required to attend training sessions at which the dangers of

drug abuse, the City's policy regarding drugs, the availability of counseling, and the City's employee assistance program will be discussed. Employees convicted of controlled substances related violations in the workplace must inform the City within five (5) days of such conviction or plea. Employees who violate any aspect of this policy may be subject to disciplinary action up to and including termination. At its discretion, the City may require employees who violate this policy to successfully complete a drug abuse assistance or rehabilitation program as a condition of continued employment.

The policy includes drug testing of employees who drive commercial motor vehicles, Ordinance #1519 adopted September 28, 1995 and testing of employees who perform safety and security sensitive functions, Ordinance # 1888 adopted November 17, 2005.

### **Post-Accident Drug Testing**

The City of Russellville recognizes that the safety of all employees and the citizens whom we serve is one of the highest priorities. Employees whose job includes driving a city-owned vehicle or operating city-owned equipment are subject to testing when they cause or contribute to accidents that damage a city vehicle, machinery, equipment or property as soon as possible and practical following the accident. The Policy also requires the testing of any safety-sensitive employee whose performance could have contributed to the accident, as determined by the manager or supervisor at the scene using the best information available at the time of the decision. If an employee refuses to submit to testing, that refusal to comply or cooperate will be treated as a positive test, and will result in discipline up to and including termination

### **18. Disciplinary Action**

Should an employee's performance, work habits, overall attitude, conduct or demeanor become unsatisfactory based on violations listed in Guidelines For Appropriate Conduct or any other City policies, rules or regulations, the employee will be subject to disciplinary action up to and including dismissal. Disciplinary actions and procedures for uniformed members of the Police and Fire Departments shall be in accordance with State Civil Service Law, and Rules and Regulations of the Russellville Civil Service Commission. Disciplinary action for all other employees may be any of the several forms listed as follows:

- a. Warning or Reprimand. A reprimand is action used to alert the employee that his or her performance is not satisfactory or to call attention to the employee's violation of employment rules and/or regulations. City employees may be officially reprimanded orally or in writing and such reprimand will be entered in the employee's personnel file.
- b. Suspension. Suspension involves the removal of an employee from his or her job. An employee may be suspended with or without pay. A suspension must be in writing. The reason for such action, the period of time for the suspension and the date the suspension is to begin and end will be noted by the Department Head in a written report submitted to the Mayor and placed in the employee's personnel file.
- c. Demotion. An employee who has committed an offense or whose work record establishes

grounds for demotion will be given written notice of such action. A demotion is an action that places the employee in a position of less responsibility and less pay.

- d. Termination. This type of disciplinary action is a removal of an employee from City employment.

## **19. Procedure for Review of Disciplinary Action**

An employee shall have the right to redress all types of disciplinary action outlined in this Procedure for Review of Disciplinary Action.

An employee desiring review of all disciplinary matters shall act in accordance with the following:

A written grievance shall be delivered to the employee's immediate supervisor within five (5) working days after the disputed disciplinary action. To the extent possible, the grievance shall be resolved at this level.

Should the employee not be satisfied with Step (1), the employee shall submit the grievance in writing to his/her Department Head. The Department Head will investigate the problem and respond in writing within five (5) working days.

## **20. Internet and E-mail Use**

### **a. Purpose and Scope**

This policy covers the management of all electronic mail and Internet systems provided by the City of Russellville both for internal use and as a service to its members and the general public.

The City encourages the use of the Internet (including electronic mail) as an integral part of its overall operations. Use of the Internet is encouraged to:

- Provide an efficient method to exchange information within City offices, between local governmental officials and to the public;
- Provide sources of data to assist City employees in accomplishing their tasks;
- Provide the required familiarity with emerging technologies that are demanded of those with careers in the information technology field and within the public sector generally.

### **b. Unacceptable Use**

It is unacceptable for a user to use, submit, publish, display or transmit on the network or on a computer system any information which:

- Violates or infringes on the rights of any other person, including the right to privacy;
- Contains defamatory, false, inaccurate, abusive, obscene, pornographic, profane, sexually oriented, threatening, racially offensive or otherwise biased, discriminatory or illegal material; “Unless such material is used, displayed, collected, or transmitted in the course of an investigation or prosecution of a city employee.”;
- Violates the City policy prohibiting sexual or other harassment;
- Restricts or inhibits other users from using the system or the efficiency of the computer systems;
- Encourages the use of controlled substances or uses the system for the purpose or criminal intent; or
- Uses the system for any other illegal, immoral or unethical purpose.

**c. Electronic Mail (E-mail) and FOIA**

E-mail is considered network activity; thus it is subject to all policies regarding acceptable/unacceptable uses of the Internet, and the user should not consider e-mail to be either private or secure.

Specifically forbidden in the use of E-mail is:

- Any activity covered by inappropriate use statements included herein;
- Sending/Forwarding chain letters, virus hoaxes, urban legends, etc.;
- Use of the “Everyone” or “All Staff” mailing list without authorization by Senior Staff.

Because electronic messages are typically stored in one place and then forwarded to one or more locations, often without the specific knowledge of the originator, they are vulnerable to interception or unintended use. The City will attempt to provide an electronic messaging environment, which provides for data confidentiality and integrity. However, the City cannot be responsible for Web-based E-mail systems such as Yahoo, Juno, Hotmail, etc. City employees should always be aware of the risks associated with the use of all e-mail systems.

**d. The Arkansas Freedom of Information Act**

The electronic files, including E-mail files, of City employees are potentially subject to public inspection and copying under the state Freedom of Information Act (“FOIA”), Ark. Code Ann. § 25-19-101 et seq.

The FOIA defines “public records” to include “data compilations in any form, required by law to be kept or otherwise kept, ... which constitute a record of the performance of lack of performance of official functions which are or should be carried out by a public official or employee (or) a government agency...” Ark. Code Ann. § 25-19-103(1). All records maintained in public offices or by public employees within the scope of their



employment are presumed to be public records. See Ark. Code Ann. § 25-19-105.

**e. Records Retention Policies**

All relevant records retention policies and statutes must be followed, and it is the responsibility of each City employee to understand which of these pertain to his or her work.

**f. Maintaining E-Mail**

The City does not maintain any E-mail backups. This responsibility lies with the user. If a user chooses to retain E-mail, that user must understand that all retained files and electronic messages are potentially accessible under FOI law. E-mail messages of only transitory value should not be saved. In fact, the failure to routinely delete these messages clogs information systems and strains storage resources.

In order to properly maintain E-mail using Outlook Express, users must transfer any information they wish to retain to “Personal Folders” on their local hard drive. Users should then empty all messages from their Inbox, Sent Mail folder and Deleted Items folder. If a user needs assistance with this, he or she should contact appropriate City staff or City computer consultants. Users should also empty their “Recycle Bins” on a regular basis.

**g. Privacy of Electronic Records**

A system administrator is any person designated to maintain, manage and provide security for shared multi-user computing resources, including computers, networks and servers. That responsibility is shared between various City employees and consultants.

System administrators shall perform their duties fairly, in cooperation with the user community and outsourced network administrators. They shall adhere to this code and all other pertinent rules and regulations, shall respect the privacy of users to the greatest extent possible, and shall refer disciplinary matters to the appropriate City staff. A system administrator is required by this policy to receive approval by the Personnel Committee by a majority vote of the committee present and voting before violating the privacy of a user of the City's computer network.

Given the nature of the technology, a wide range of information can be easily collected by network personnel using system software. For example, software may be configured to provide aggregate information on the number of users logged in, the number of users accessing certain software, etc.

No information shall be routinely collected that is not required by system administrators or City management in the direct performance of their duties, such as routine backup for system recovery.

Unauthorized access to any information will result in immediate disciplinary action.

**h. Regulation/Enforcement**

The city's Department Heads (or designee) may gain access to a City employee's E-mail, Internet cache or files without that employee's permission for any reason at any time after approval from the Personnel Committee.

All federal and state laws, as well as city ordinances, regulations and policies, are applicable to the use of computing resources. These included, but are not limited to, the Family Education Rights and Privacy Act of 1974, 20 U.S.C. §1232g; the Electronic Communications Privacy Act of 1986, 18 U.S.C. §2510 et seq.; the Arkansas Freedom of Information Act, Ark. Code Ann. §25-19-101 et seq.; and state and federal computer fraud statutes, 18 U.S.C. §1030 and Ark. Code Ann. §5-41-101 et seq.

Further, illegal reproduction of software and other intellectual property protected by U.S. copyright laws and by licensing agreements may result in civil and criminal sanctions.

**i. Copyrighted Material**

Users may download copyrighted material, but its use must be strictly within the agreement as posted by the author or current copyright law and should be related to City work. The federal Copyright Act at 17 U.S.C. 101 et seq. (1988), protects and prohibits misuse of all original works of authorship in any tangible medium of expression. This includes a prohibition on plagiarism (using someone else's ideas or writing and passing it on as one's own).

**j. Use of City Owned or Licensed Software**

Users may not copy or use City-owned or licensed software for personal reasons or for unauthorized business purposes nor may those programs or data leave City premises.

**k. Public Domain Material**

Any user may download public domain programs for his/her own City-related use, or may redistribute a public domain program non-commercially but does so with the knowledge that by doing so he/she also assumes all of the risks regarding the determination of whether or not a program is in the public domain.

**l. Computer Ethics**

As a representative of the City, employees have a responsibility to conduct themselves in an ethical manner. The following information suggests some areas where ethics issues will arise and provides some suggestions on how to deal with those issues:

- Data obtained inappropriately should not be used.
- Finding and reporting a system weakness is not a license to take advantage of it.
- Every user has a responsibility to do good work and to be accountable for that work.
- Organizations and individuals have rights to privacy.

- When the confidentiality of information is unclear, it should not be divulged.
- Electronic mail should be treated as privileged in the same manner as first-class U.S. mail.
- Use of personal information voluntarily provided, for purposes other than agreed to, is unethical.

**m. Etiquette on the Internet**

It is essential that users recognize that each network/system has its own set of policies and procedures. Actions, which are routinely allowed on one network/system, may be controlled or even forbidden on other networks. It is the user's responsibility to abide by the policies and procedures of all networks/systems with which they may communicate.

The following links regarding "Netiquette" are helpful in determining appropriate "net" behavior.

- <http://www.fau.edu/netiquette/net/index.html>
- [http://www.herald.co.uk/local\\_infor/genuki/netiquette.html](http://www.herald.co.uk/local_infor/genuki/netiquette.html)
- <http://www.aatg.org/netiquette.html>
- <http://www.albion.com/netiquette/corerules.html>
- <http://www.albion.com/netiquette/intordution.html>
- <http://www.redtail.unm.edu/cp/netiquette.html>
- <http://www.ro.com/members/info/netiquette.html>

**n. Violations of this Policy**

Employee action or inaction contradictory to this policy, in part or in its entirety, may lead to disciplinary action up to and including termination.

**21. Telephone and Cell Phone Use**

Your job is to be a service to the citizens of the City of Russellville, therefore when speaking on the telephone with the public you are expected to be civil and courteous. Telephones and cell phones provided by the City are for conducting city business. Use of phones, including personal cell phones, for personal use during business hours is discouraged except during breaks and emergency situations.

**22. City-issued cell phones:**

All employees who are issued city cell phones will be allotted an additional amount as a taxable fringe on an estimated 25% of the average cell phone bill (\$40), or \$10.00 monthly (\$5 bi-weekly) to cover personal use in compliance with IRS regulations. This covers basic service (no texting or roaming) throughout the continental United States. Any additional expenses incurred from texting or roaming are the employees' responsibility. Employees who are assigned a city cell phone on a part time basis only while on duty will not be charged this fringe.

## **VI) EMPLOYEE COMPENSATION**

### **1. Salary**

The City of Russellville assigns each regular full-time employee a job title and corresponding hourly wage or bi-weekly salary.

### **2. Salary Plan**

The Mayor's office in coordination with the Human Resource Department shall be responsible for the continuance, maintenance, and administration of the City's Salary Plan. The Mayor's office will conduct an annual review during budget preparation, and such review will include an analysis of prevailing rates of pay for similar positions in comparable labor markets, organizations, cost of living factors, budgetary considerations, and other related factors. On the basis of this information, the Mayor shall recommend to the City Council changes to keep the plan current, uniform, and equitable. Recommendations are usually submitted to the City Council during the consideration of the annual budget, but recommendations can be made at any time.

Resolution #908 adopted on November 17, 2005 in accordance with this section is to be used as a useful guide.

### **3. Date of Hire/Anniversary Date**

**Date of Hire:** The effective date of the individual's employment with the City.

**Anniversary Date:** The date the employee began his/her employment in the most recent position.

These definitions are for compensation purposes only and are not applicable to retirement benefits or any other benefits except salary compensation.

A regular employee who is promoted, demoted, or transferred will have his/her anniversary date changed to the effective date of the promotion, demotion, or transfer. An employee returning from a leave of absence without pay will have his/her anniversary date extended by the same length of time the employee was on leave without pay. An employee reinstated to the same position or a position in the same class following layoff from the City will have his/her anniversary period extended by the same length of time as the duration of the layoff. There will be no change in the employee's anniversary date in the instance of reallocation of an employee's position to a new classification title when there have been no recent, abrupt, and/or significant changes in assigned tasks and responsibilities.

### **4. Pay Increases Based on Performance**

Pay increases on the City's Salary Plan are to be recommended on the basis of performance as determined by the Department Head and recommended by the Mayor. In no case shall pay increases be considered automatic. All pay increases are approved by the City Council in the budget process. All other changes in pay that affect the budget shall be approved by the City Council.

All increases are based strictly on job performance. Any such increase will be effective on the first day of the succeeding calendar year. Each Department Head will be responsible for determining levels of performance for his or her personnel, which are worthy of increase. These decisions shall be documented by use of the City's performance appraisal system. It is expected that Department Head will design performance standards for any given grade in a manner that will ensure that standards increase as tenure increases.

All increases set out in this policy, as well as all other compensation policies of the City, are contingent on sufficient funds being available to meet all of the City's obligations. However, using the plan, the Department Heads will be able to determine salary needs at the beginning of their budget process, which should enable them to accurately determine needed appropriations for each fiscal year.

The City may adjust Department Head's compensation. The Mayor shall recommend any increase, decrease, bonus, or take no action on a Department Head's salary each year. Such recommendation by the Mayor will be forwarded to the Council for their approval.

#### **5. Cost of Living Increases**

The City Council may, if the funds are available, choose to grant cost of living increases to City employees. When those increases are granted, they will not be dependent on the criteria set out for a step increase, but will be granted to all personnel without restriction. If the Salary Plan is changed to reflect the cost of living increases, a resolution will be passed by the City Council reflecting the amended Salary Plan, and the current Salary Plan shall be contained as Appendix D to this Policies and Procedures Manual. Usually, cost of living increases are considered by the City Council during the budget process.

#### **6. Overtime Pay**

Overtime will be paid for hours worked in excess of the hours per week set forth in the Work Hours section of this handbook. The rate of pay for overtime shall be one and one-half (1½) the employee's normal hourly rate. Upon the direction & approval of the Department Head and authorization by the Mayor, non-exempt employees who perform duties related to specific reimbursable grants will be granted overtime rate of pay for those hours worked in conjunction with the grant in compliance with FLSA guidelines. Exempt employees are not eligible for overtime pay under any circumstances regardless of the source of the revenue. Upon the direction & approval of the Department Head and authorization by the Mayor, employees who are called into work or ordered to remain at work by the Department Head for the purpose of working or assisting with a critical personnel shortage or emergency incident shall be granted one and one-half (1½) compensatory hours for each hour worked if no vacation, sick, or other compensatory time has been used during the pay period for those hours worked in conjunction with the situation or incident. If vacation, sick or other compensatory hours have been used during the pay period one hour of compensatory time shall be granted for each hour worked.

Falsification of time records for payroll purposes is reason for discipline of the employee and supervisor up to and inclusive of termination.

Upon the direction or approval of the Department Head compensation for overtime may be made in the form of compensatory leave to the employee. The overtime record of the Department shall be the official record with respect to the number of compensatory leave days earned by an employee. Said records shall be forwarded to the City Treasurer with the bi-weekly timesheets.

Uniformed personnel will be compensated for FLSA overtime according to FLSA guidelines.

## **7. Comp Time**

Hourly employees are entitled to compensatory (comp) time according to the guidelines as follows:

- If you are to receive compensatory time, there must be an agreement or understanding between you and your supervisor **BEFORE** the performance of any overtime work for which compensatory time will be given. In other words, you must be aware that you will not receive overtime pay for the hours worked.
- 24-hour shift employees will not be permitted to accrue more than 72 hours of comp time. 12-hour shift employees will not be able to accrue more than 84 hours of comp time. 8-hours shift employees will not be permitted to accrue more than 80 hours of compensatory time. (Under special circumstances, employees may be permitted to accrue more than the maximum hours, but only with approval from the Department Head and Mayor.)
- Every effort should be made to use accrued compensatory time during the calendar year. Under special circumstances, odd hours or compensatory time accrued during November and December will be allowed to carry over to the next calendar year.
- When you request the use of your accrued compensatory time, you will be permitted to use such time within a reasonable period after making your request as long as it does not unduly disrupt the operations of the department.
- Upon termination of employment, you will be paid for any accrued unused compensatory time at your normal hourly rate.
- Compensatory time must be scheduled in required increments (12 hours for Fire uniformed, 6 hours for Police uniformed, and 4 hours for all other personnel) unless a smaller increment is approved by Department Head. Requesting time off should be handled in the same manner as vacation time requests.
- Compensatory time may be granted on an emergency basis at the discretion of the Battalion chief (Fire Dept.), Lieutenant (Police Dept.) or Department Head (non-uniformed employees).
- Compensatory time earned each pay period must be submitted to the payroll department along with employee time sheets.
- Any employee, who as accrued the maximum number of hours of compensatory time off shall, for additional overtime hours of work, be paid overtime compensation.

- Compensatory time off is paid time off the job which is earned and accrued by an employee in lieu of immediate cash payment for employment in excess of the statutory hours for which overtime compensation is required.
- Whether a request to use compensatory time has been granted within a “reasonable period” will be determined by considering the customary work practice within the agency based on the facts and circumstances in each case including emergency requirements for staff and services and the availability of qualified substitute staff.
- When an employee requests compensatory time off, it shall be honored unless to do so would be “unduly disruptive” to the operations of the department. For an agency to turn down a request from an employee for compensatory time off requires that it should reasonably and in good faith anticipate that it would impose an unreasonable burden on the agency’s ability to provide services of acceptable quality and quantity for the public during the time requested without the use of the employee’s services.

**8. Promotions**

Whenever an employee is promoted to a higher position, or whenever an employee’s position is upgraded, said employee will receive a different level of compensation. Promotions that increase an employee’s compensation by 10% will not change the employee’s date of hire. However, the anniversary date will be revised to coincide with the promotion date.

**9. Demotions**

An employee reassigned to a position in a lower classification regardless of the reason (disciplinary, in lieu of layoff, department reorganizations, etc.) will receive a cut in pay commensurate with the nature of the demotion as determined by the Department Head in consultation with the Mayor. Demotions do not change the employee’s date of hire. However, the anniversary date for future salary increases changes. Employees in position classifications that are downgraded in salary to reflect changes in market conditions will retain their existing anniversary date for future step increases.

**10. Garnishment**

Any notice of court ordered garnishment will be received and signed for by the Treasurer or in the absence of the Treasurer the Assistant Treasurer, or the Mayor. The employee will be notified through the Department Head that the garnishment has been processed. A copy of the garnishment shall be provided to the employee upon request, if the employee has not already received a copy of such garnishment. Any Department Head or other employee receiving a garnishment through the mail shall immediately forward such garnishment to the Treasurer’s Office. Per State Statute 16-110-417, the City shall deduct \$2.50 per pay period for each withholding for administrative costs.

In addition, the City will deduct \$1.00 per pay period for each voluntary non-city authorized payroll deduction. All city authorized payroll deductions shall not incur a fee.

## **11. Payroll Deductions**

The following deductions from each employee's paycheck are required by law:

- a. Federal income tax withholding;
- b. State income tax withholding;
- c. Social Security (except for Firefighters);
- d. Retirement contributions (electing and/or eligible employees only);
- e. Deductions authorized by law, such as garnishments, childcare.

Additional deductions, which are optional and may be requested by the employee, include:

Payment of health dental, vision or voluntary insurance premiums for the employee or dependents under the City of Russellville's benefit plan.

With each paycheck, the City employee will receive a statement of earnings and deductions, which itemizes the various deductions made, as well as appropriate cumulative totals.

It is the employee's responsibility to maintain current payroll deduction information with the Human Resources Coordinator.

Employees wishing to add or change their payroll deductions should contact the Human Resources Coordinator.

## **12. Pay Periods**

City employees are paid on a bi-weekly basis. There are 26 pay periods in the year. If a payday falls on a holiday, the day of pay shall be the last working day which proceeds the normal payday. Checks are distributed to each department on every other Friday by the City Treasurer.

## **13. Time Sheets/Preparation of Payroll**

Time sheets are to be completed by all employees. The time sheet shall include:

- a. Employee name; Department; Pay period;
- b. Hours to be compensated broken down on a daily basis into hours worked, including overtime hours;
- c. Holiday time; Sick leave; Compensatory time; Vacation; Leave without pay; and Military Leave



The employee's supervisor and/or Department Head shall verify these sheets.

Changes in rate, position and status shall be supported by an Employee Status form and showing recommendation by the Department Head, with approval of the Mayor and Human Resources Coordinator. No salary change shall be implemented without written approval of the Mayor, or the Mayor's designate; (approval should be on the City's personnel action form). The City shall maintain payroll records for a minimum of seven years. Any salary change must be approved by the City Council prior to implementation.

Falsification of time records for payroll purposes is reason for discipline of the employee up to and inclusive of termination. Employees may direct inquiries concerning payroll matters to their respective supervisor and/or Department Head.

#### **14. Change of Address**

It is important that if an employee changes his or her home address or telephone number to notify the Human Resources Coordinator of this change so that personnel records may be kept up to date. This is important in case the City must mail the employee any information that it feels the employee will need, such as "withholding" statements for the employee's income taxes. Also, if there is any change in the employee's marital status, the employee should report it to the Human Resources Coordinator.

## **VII) MISCELLANEOUS INFORMATION**

### **1. Policy Statement**

These Employee Policies and Procedures outline the rights and benefits afforded all employees by the City. The City of Russellville possesses the sole right to operate and manage the affairs of the City. The City may, from time to time, change its policies relating to employees rights and benefits.

### **2. Severability**

Should any of the provisions of these Employee Policies and Procedures be determined to be contrary to federal, state, or local law, the remaining provisions of these Employee Policies and Procedures shall remain in full force and effect.

To the extent that any state law provides additional or different benefits or rights to employees, the provisions of these Employee Policies and Procedures shall be deemed to include those statements of law.

Each Department Head is authorized to adopt lawful oral or written policies governing the day-to-day operations of that department. Departmental policies, if in conflict with these Employee Policies and Procedures, shall be governed by these Employee Policies and Procedures. Department Heads shall obtain the Mayor's approval before adopting, implementing or changing departmental policies.

Appendix A  
**Employee Complaint Form**

The City takes employee complaints of discrimination, harassment, and unethical or unfair conduct as serious matters. So that we may properly investigate your concern, you are requested to fill out this form as completely as possible. Please use additional sheets of paper where needed. After a prompt and thorough investigation into your complaint, you will be notified of the city's intended action. Please submit it to your Supervisor, Department Head, Mayor, or Human Resources Representative.

<b>Employee Name</b>		<b>Title</b>	
<b>Department</b>		<b>Supervisor Department Name</b>	<b>or Head</b>

1. Please describe in as much detail as possible the nature of your complaint. Please provide or identify all known persons, documents, or witnesses to your concern.
  
2. Please describe how the actions noted in your complaint have affected your ability to perform your job?
  
3. Please describe any positive solutions you believe can help resolve your complaint.
  
4. Please provide any additional comments you wish the city to consider when investigating your complaint.

I acknowledge that I have read this document and understand my obligation to provide information as needed and to cooperate fully and completely with any investigation of this complaint. Should it become necessary, I authorize the city to disclose my identity and/or details of this complaint.

Employee Signature: \_\_\_\_\_ Date \_\_\_\_\_

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- <sup>1</sup> RVSD 03/17/2005 Ordinance 1874 Vacation  
<sup>2</sup> NEW 03/17/2005 Ordinance 1874 Catastrophic Leave  
<sup>3</sup> RVSD 11/17/2005 Ordinance 1888 Drug Free Work Place  
<sup>4</sup> RVSD 11/17/2005 Resolution 908 Salary Plan  
<sup>5</sup>RVSD 05/19/2005 Ordinance 1874 Garnishment  
RVSD 12/20/2007 Ordinances #1991,1992, 1999  
RVSD 04/17/08 Ordinance #2016, 2019  
RVSD 09/17/09 Ordinance #2061  
RVSD 4/20/17 Ordinance #2271  
RVSD 10/20/22 Ordinance #2436  
RVSD 6/13/23 Ordinance #2451