

City of Lafayette

Employee Handbook

Introduction

We have developed this Handbook to provide you with answers to questions that frequently arise regarding the city and our basic employment policies. We ask that you read the Handbook carefully and keep it for reference. The policies outlined cover all non-union employees of the City of Lafayette including those employees who are appointed by and serve at the pleasure of the City Council. In areas not covered by the union contract, these policies will also apply to union employees. This Handbook is organized into 2 sections:

Section A – City Government

Section B – City Personnel Policies

Your daily contact with the public has two effects. First, the perception that the public gains from your appearance and behavior which reflects on the City. Second, what you see and hear can be very useful to us in improving the public's perception of our city.

Improving the public perception of the services we provide and how well we provide them, in the long term, allows us to better compensate you for the part you play in getting the job done. That is and should be the ultimate goal all of us are striving to achieve.

Please read this Handbook with these ideas in mind. It is a synopsis and as such, cannot anticipate every situation that may arise while you work here. However, it does address the most common issues where questions have been raised in the past. If you have any questions about this Handbook, contact the City Administrator.

It is important that you understand that this Handbook is not intended to serve as a contract for employment or benefits. Because our ability to serve the public and provide employment to employees depends upon our ability to remain flexible, we reserve the right to make changes in policies and practices that the City believes are necessary to ensure its efficient operation. Nothing in this Handbook should be construed as a guarantee of continued employment, but rather, employment with the City is on an at-will basis. This means that the employment relationship may be terminated by you or by the City for any reason not prohibited by law.

This version was adopted by Resolution 04-06 on March 11, 2004.

**EMPLOYEE HANDBOOK ACKNOWLEDGMENT
OF RECEIPT**

I acknowledge that I have received a copy of the Employee Handbook of the City of Lafayette, which was revised and became effective March 27, 2003. I acknowledge that I am covered by this Handbook (union employees are covered only in areas not addressed in union contract).

I understand that the City reserves all rights necessary to the efficient and orderly management of its business. The Handbook is intended to be a guideline to its practices, not a contract. It may become necessary for the City to change this Handbook and its policies from time to time as it deems necessary for the management of its business.

I have carefully read and understand the policies and rules outlined in this Handbook, I recognize my employment and compensation can be terminated with or without notice, at any time, at the discretion of either the City or myself.

I also understand that no one other than the City Administrator and the City Council has any authority to enter into any agreement for employment for any specified period of time, to assure me of any future position, benefits, or terms or conditions of employment, or to make any promises contrary or in addition to this Handbook. Any past or future promises contrary or in any way different from this Handbook, including my right and the right of the City to terminate our relationship at our individual discretion must be in writing, signed and dated by the Mayor, the City Administrator and me.

I understand that City policy states that all employees will be required to immediately submit to alcohol and/or drug testing whenever the City has reasonable suspicion that the employee has been using drugs or alcohol. I hereby authorize the City to perform drug tests, as necessary.

The original copy of this acknowledgement will be placed in my personnel file and a copy will be retained in both my copy and the City Administrator's copy of the Employee Handbook.

Employee's Name (Please Print)

_____ Dated this ____ day of _____, 200__.
Employee's Signature

_____ Dated this ____ day of _____, 200__.
Supervisor's Signature

Employee Handbook

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SECTION A
CITY GOVERNMENT

City of Lafayette Mission Statement & Goals

The city's mission is to maintain a safe and livable environment for its citizen's and provide for the efficient delivery of public services. This is best achieved in a community where citizen participation, open communication, a strong sense of community, community pride, and the selection, training and retention of high quality employees is valued and encouraged by the city's residents, elected officials, and appointed officials. As an organization, the city's goals are:

- To foster a strong sense of community pride in the operation of the city, the actions of its elected officials, appointed officials and employees, and the projects that are undertaken by the city.
- To promote citizen activism and get as many people as possible involved in decision making and the operation of the city.
- To keep citizens informed as to what the city is doing and why.
- To treat customers, citizens and the public in a courteous and friendly manner.
- To value the recruiting, training and continuing development of well-informed, friendly and competent volunteers and employees at every level of city government.
- To be respectful of and listen to the views of everyone in the community and to recognize that every citizen has an equal right to services and access to the decision making process.
- To always keep the best interest of the city in mind (not a few citizens) whenever any decision is made, policy is developed, or program is implemented.
- To be consistent and fair in the development and implementation of public policy.
- To be frugal in the use of public resources and funds and to do the best job we can with what we have to work with.

It is the responsibility of every city official and employee to keep these goals in mind as the city's mission is carried out. Any action you take and every decision you make will be measured against the mission statement and these goals.

City of Lafayette Organization and History

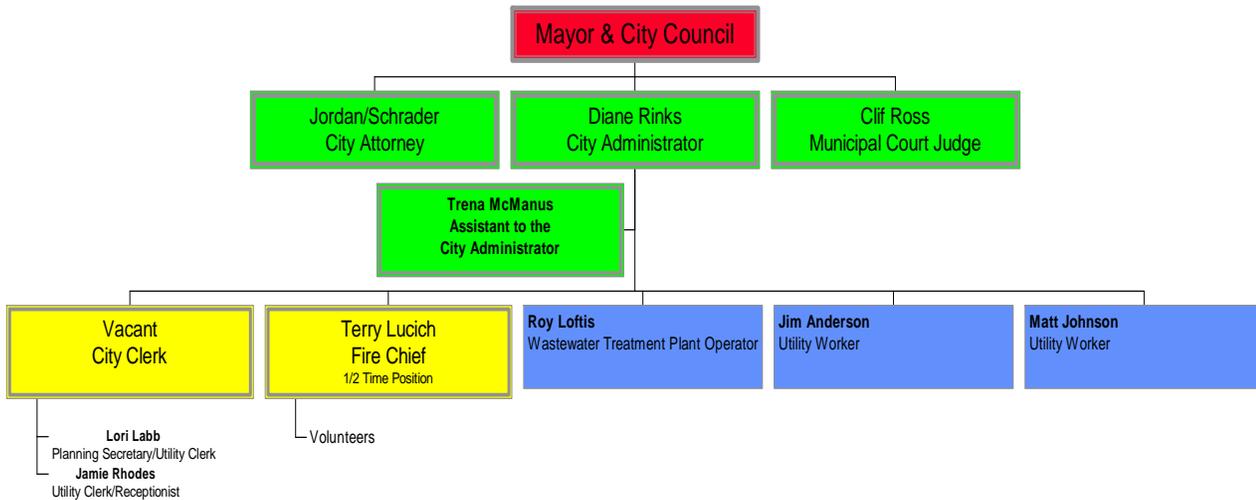
City Organization

The City of Lafayette has a council-administrator form of government. A city administrator is appointed by the city council to act as the administrative head of the city. This form of government is established by the city charter, which was adopted at an election on May 16, 1995. The city administrator has the authority to hire, train, discipline and recommend the removal of any of the employees in the city. The specific duties and responsibilities of all of the elected and appointed officials of the city are set out in the city charter. A copy of the city charter is contained in the Municipal Code binders that are available at city hall.

The mayor is elected at large for a two-year term. Six council members are elected at large for four-year terms. Every two years at each general election at least three council members are elected to a full term. At its first meeting in every odd numbered year, the council elects a president from its membership. The mayor presides over council meetings, appoints (with the advice and consent of the council) committee members, acts as council liaison for staff and personnel matters and only votes in case of a tie. The city council enacts legislation and establishes overall city policies and priorities. The city council meets at city hall on the second and fourth Thursday of every month. The president of the council acts as mayor in the mayor's absence or inability to perform his or her duties. All meetings are open to the public and accessible.

The current organization chart for the city with all of the departments and job titles is shown on the next page. As you can see from the chart, there are 3 departments in the city: public works, fire department and administration. The city administrator supervises the employees in the administration department. That includes building, planning, municipal court, water and sewer billing, budget and finance, elections and general administration. The incumbent supervisors of the other two departments are shown on the organization chart on this page.

City of Lafayette, Oregon Organization Chart (June 27, 2005)



City History

The City of Lafayette was founded in 1847 by Joel Perkins, an early pioneer to the Oregon Territory. The city is very rich in history and is the third oldest city in Oregon. It is the oldest city in Yamhill County. The city was founded on the main Indian trail that traversed the Willamette Valley at a point on the Yamhill River known for years as Yamhill Falls. The town grew slowly at first but grew by leaps and bounds after gold was discovered in California. In the early 1850's, Lafayette was one of the most important and prosperous cities in Oregon. During this time, some of the most important and influential men in Oregon history lived in or near Lafayette. For this reason, the city was known as the "Athens of Oregon". As other towns grew in size and importance, most of the great men moved away. The town began to decline and moving the county seat to McMinnville in 1888 was the final blow. The city remained in decline for more than 100 years. In 1995, because of the beautiful farm country around the city, the development of the Oregon wine industry and tourism in Yamhill County, and its proximity to the Portland metro area, Lafayette began to grow very rapidly. In 1996, it was the fastest growing city in the state. Today, it continues to expand. The city can take pride in its rich history, but must work very hard to maintain its small town feel and charm in the midst of this rapid growth. It is a town with a bright past and a very bright future.

CITY BOARDS AND COMMITTEES

BUDGET COMMITTEE

The budget committee is comprised of seven citizens appointed by the council for 3-year terms and the city council members themselves. The committee reviews and recommends to the city council the annual operating budget pursuant to state budget law.

PLANNING COMMISSION

The planning commission is comprised of four residents and one resident of the City's influence area outside the City limits. They are appointed by the city council for four-year terms. This commission makes recommendations to the council on current development proposals and long-range planning.

STANDING COMMITTEES

The Lafayette Municipal Code authorizes the council to establish standing committees by resolution where the city finds that a public project is of an ongoing nature such that the council would benefit from the creation of a permanent advisory body. The powers of each standing committee are determined by the resolution that creates it. At the present time, the council has created one permanent standing committee:

HERITAGE DAYS COMMITTEE

This committee plans and coordinates the city's annual Heritage Days celebration. The purpose of this city-sponsored event is to promote a general understanding of the city's rich heritage and promote its future well being. This committee was created by council resolution 99-17.

CITY BUDGET PROCESS

The city's financial reports are prepared by the city administrator following the guidelines recommended by the Government Finance Officer Association of the United States and Canada (GFOA), and modified to conform with special requirements of the Oregon Revised Statutes.

The city's fiscal (budget) year begins on July 1 and ends on June 30 of each year. The city administrator is the city's budget officer and is responsible for preparing a proposed budget each year. Beginning in December, the head of each department, working with his or her staff, begins preparing a proposed department budget for the next fiscal year. The city administrator leads the overall coordination for this budget preparation.

In February, March and April of each year, the budget committee meets to review and recommend a proposed budget for the next year. In May, the city council holds a public hearing on the recommended budget. Prior to June 30, the city council formally adopts the new budget, appropriates expenditures for the new fiscal year, and levies property taxes. On July 1, the new budget takes effect and by Oregon law, governs the city's expenditures throughout the year.

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SECTION B
CITY PERSONNEL POLICIES

Equal Employment Opportunity

Policy Statement

The City of Lafayette maintains a policy of providing equal employment opportunities to all qualified persons without regard to race, religion, color, sex, age, national origin, mental or physical disability, veteran's status or other protected status in accordance with applicable law. We strive to make employment decisions based on our evaluation of an individual's qualifications, ability and contribution to the success of our City.

Harassment Policy

It is also our policy that all employees have a right to work in an environment where the dignity of each individual is respected. For that reason, we expect all employees to accomplish their work in a business-like manner with concern for the well being of their co-workers. Any harassment of employees by fellow employees is not permitted, nor will it be tolerated regardless of their working relationship or supervisory status.

Specifically forbidden is harassment of a sexual, racial, ethnic, religious or disability-related nature. This includes unwelcome sexual advances; innuendoes; unwelcome touching; dirty jokes; sexually explicit posters; and other verbal, graphic or physical conduct of a sexual nature, which has the purpose, or effect of creating an offensive work environment. It also includes racial slurs; ethnic jokes; derogatory comments or gestures about a person's physical or mental limitations and other verbal, graphic, physical or other conduct of a racial, religious, ethnic or disability related nature which creates an offensive work environment.

In addition, no one should suggest or threaten that an employee's cooperation, tolerance or objections to unwelcome conduct of a sexual, racial, ethnic, religious or disability related nature will have any effect on that employee's employment. The city does not condition employment decisions on such factors.

If you are subjected to any type of harassment, particularly of a sexual, racial, ethnic, religious or disability-related nature by an employee or anyone you come into contact with through your job, you should promptly contact their supervisor or the City Administrator. Employees who, for whatever reason, feel uncomfortable reporting to their supervisor or to the City Administrator should promptly report the harassment to the Mayor or President of the City Council. We encourage employees to report complaints and work with us to informally resolve problems involving harassment. Our ability to resolve these kinds of problems is dependent on your cooperation in reporting incidents that create an offensive or hostile work environment for you. In the event a complaint is reported, an investigation will be undertaken immediately. Violators will be subject to appropriate disciplinary action, which may include termination. Retaliation will not be tolerated.

Employee Classifications and Definitions

Trial (Introductory) Period Employees

The trial period for new employees who are hired for ongoing employment is six (6) continuous calendar months. During this period you will have an opportunity to evaluate whether the work for which you were hired, the people with whom you work, and the general atmosphere and conditions at the City meet your expectations. At the same time, we will evaluate your performance. The attitude and aptitude you show in your work habits during the trial period, in particular, attendance, punctuality, ability to learn, and ability to get along with people, will be primary factors used in determining whether you will be assigned to regular employment status.

The trial is an introductory period. Completion of trial service is not intended to provide an employee with any particular job rights or guarantees. You should also understand that you have no obligation to stay for the introductory period and the City has no obligation to retain you as an employee for this entire period if, in our view, your performance or other business considerations warrant termination of your employment.

At the end of the trial period, the department head and/or the City Administrator will evaluate you and either extend the trial period for a time not to exceed an additional three (3) months, terminate your employment, or recommend you be designated as a regular employee.

Trial period employees are not eligible for City benefits, except as specifically set forth in this Handbook.

Regular Employees

Regular employees are employees who have been appointed or hired for ongoing employment in a position established in the annual budget and who have completed their trial period.

A regular full-time employee is one who has completed his/her trial period who regularly and consistently works at least 40 hours a week. Regular full-time employees are eligible to receive all the employee benefits outlined in this Handbook if they meet the eligibility requirements.

A regular part-time employee is one who has completed his/her trial period who regularly works less than 40 hours a week. Regular part-time employees are not eligible to receive employee benefits, except as specifically set forth in this Handbook or required by law.

Temporary and Casual Employees

Temporary and casual employees are those who perform services on a relief or on-call basis or as needed for short-term employment. Temporary and casual employees are not eligible for employee benefits, except as set forth in this Handbook or as required by law.

General Employment Policies

In General

It is the responsibility of all our employees to use common sense, sound judgment, and to conscientiously perform your work duties while following our policies and management directives in the performance of your job. As a City of Lafayette employee, you should familiarize yourself with our policies and keep yourself abreast of changes in those policies. When new or revised sections of this Handbook are issued, you are responsible for inserting those sections in your copy of the Handbook. Be sure to discard any sections that have been replaced.

In the event you have questions about your position, your employment status, your job requirements, or any other matter, please discuss your questions with your supervisor. If your supervisor is not available, ask the City Administrator or the Assistant to the City Administrator.

Attendance and Tardiness

Part of being a good employee is to be dependable. Your punctuality and regular attendance are essential for efficient operations. Remember, when you are absent, your co-workers often have to absorb extra work.

If you know in advance that you are going to be late or absent, clear it with your supervisor so that substitute arrangements can be made to cover your work in advance. If you are going to be unavoidably late or absent, you must notify your supervisor at least one (1) hour prior to the beginning of your starting time.

Employees who fail to report to work or call in for one (1) workday will be terminated, unless we determine special circumstances existed to justify the lack of notice.

When you are off work due to an illness or injury, you must keep your supervisor informed of your condition and anticipated date of return to work on a daily basis, unless you receive approval from the City Administrator to be absent until a specific date. This will allow us to make staffing arrangements to meet the City's needs. The reporting policy for employees on a medical leave of absence, including employees off work on workers' compensation, is addressed under the Leaves of Absence section of this Handbook.

Personal Conversations during Work Hours

Conversations regarding anything other than City business should not be allowed to interfere with City business. No citizen should be kept waiting in the street, at the counter or on the phone for a City employee to finish a personal conversation. Telephones should be answered before the third ring whenever possible.

Use of Telephones

Although we recognize that there will be times when personal phone calls or messages must be made or received during business hours, we appreciate your cooperation in keeping personal phone calls, both incoming and outgoing, to a minimum. This will enable us to

keep our telephone lines available for business. You should make personal calls and take care of personal business on your breaks or during your meal period. Personal long-distance calls must be approved prior to making or accepting the call and billed to your home or a credit card. If it is necessary to make a long-distance personal business call during business hours you may do so without permission if it is of extremely short duration.

Cooperation and Teamwork

We believe that teamwork is the foundation of a successful employment relationship. As one member of our team, you can expect to be treated with courtesy and respect by other members of the team. Likewise, you are expected to be cooperative, polite and positive in relations with co-workers, supervisors, the public and others you come into contact with through your employment.

Remember that when an individual joins the City of Lafayette, that person becomes a part of our administrative team. We strongly endorse teamwork and cooperation as independent job requirements.

Ethical Practices and Honesty

The City of Lafayette conducts its affairs in compliance with all applicable laws and regulations including the guidelines and restrictions of the Oregon government standards and practices laws, including the regulations concerning conflicts of interest, prohibited activities, regulated activities, gifts and honoraria. We expect all our employees to strictly comply with this standard and to refrain from engaging in activities that are unlawful or unethical. Employees of the City of Lafayette are expected to maintain the highest standards of integrity, truthfulness, honesty and fortitude in all public activities to inspire public confidence and trust. Every employee is expected to meet the standards of ethics set by Oregon Statute and by the city. If in doubt, check with the City Administrator before you accept anything of value or engage in any activity that may raise any questions. In the event an employee feels that anyone on our staff is engaging in unlawful or unethical activities, we encourage them to immediately report their concerns to the City Administrator. We respect the right of our employees to raise such matters and will address any concerns reported.

Political Activity

Employees of the City can not hold an elective position in the City and work for Lafayette simultaneously. The restrictions imposed by the law of the State of Oregon on political activities are that no City employee shall use such employment to solicit any money, influence, service or other thing of value, or otherwise aid or promote any political committee, or the nomination or election of any person to public office, while on the job or during working hours.

However, nothing in this section is intended to restrict the right of a public employee from expressing their personal political views, to vote in any election or to support candidates or ballot issues, outside of working hours.

Solicitation and Distribution

In order to prevent disruptions and interference with work we have established the following rules to govern solicitations and the distribution of literature on our premises:

Employees of the City - Solicitation by an employee of another employee is prohibited while either the person doing the soliciting or the person being solicited is on working time. Please limit solicitations to your meal and break periods. Also, employees may not distribute literature for any purpose during working time or in working areas.

Solicitation is verbal communication for the purpose of selling, political campaigning, organizing for civic activities or any other cause. Distribution is an exchange of printed materials such as handbills, letters, pamphlets for any sale, candidate or any cause.

Materials posted on walls or bulletin boards on City property are to be only for public, non-political purposes. No materials supporting political candidates or issues may be posted. No materials promoting private businesses may be posted.

Professionalism & Confidentiality

All City employees are expected to reflect the professionalism of public service in their appearance and their actions. Employees should present themselves in a way that promotes the public trust and does not interfere with the efficient and effective performance of work at the City. Employees are expected to refrain from gossiping, using profane or abusive language, engaging in “horseplay” and other such unprofessional conduct while on duty or at their place of work, even if on a break or their own time.

As a provider of public services, the business of the City often relates to personal information of members of the community. Information gained by City employees concerning individual citizens or other City employees, information in personnel files, or information relating to other agencies is confidential unless specifically designated otherwise. Discussion with anyone else concerning any of this confidential information will take place on a professional “need to know” basis only. This confidential information may only be disclosed or discussed by a City employee in accordance with this policy and as authorized by state and **federal** law.

References

When employees leave our employment without giving us written authorization to release more detailed information we will, as a general practice, release only information about their length of employment, position and pay rate. All reference requests must be directed to the City Administrator for response.

Personnel and Payroll Records

It is important that your personnel records be kept up to date. Be sure to notify us of any change in your address or phone number, person to be notified in case of accident, legal name, marital status, number of income tax exemptions, insurance beneficiaries, military service status, etc. when such changes occur.

Appropriate Dress and Grooming

As a City of Lafayette employee, you are a representative of the City and a role model to the public. Although we do not have a formal dress code, you are required to be neatly groomed and wear suitable clothing for your work environment and activity.

Outside Employment

Generally, the City has no objection to employees holding other jobs or being self-employed as long as we think:

- You are able to meet the performance, attendance, overtime and other requirements of your job;
- Your off-duty work activities do not, in our view, interfere with or negatively reflect on the interests and reputation of the City; and
- You do not engage in off duty work activities that directly compete with the City.

In order to avoid misunderstandings, employees are required to obtain advance written approval for outside employment from the City Administrator. Employees are required to conduct only City of Lafayette business related activities during scheduled hours.

City of Lafayette Property

If, for any reason, you leave our employment, you must return any City property in your possession. These items should be returned no later than your last day of work. Our property may only be used in work related activities. No employee will take any City property into his or her private possession or control without written authorization approved by the employee's supervisor. This approval must be on file at the City Hall before taking possession of the property.

Computers

Our computers are only to be used for City business. Employees should not load personal software, change or delete current setup, programs or files, download or use computers and related equipment for personal reasons without consulting with and receiving authorization from the City Administrator.

Residency Requirements

Employees are encouraged to live within the City limits; however, residency will not be a condition of employment or continued employment.

Promotions

To be eligible for promotion, an employee must meet the minimum requirements of the higher level position and must have a current satisfactory performance rating in the present position. Final decisions whether to promote a current employee or hire someone outside resides solely with the City Administrator.

Temporary Assignment

The City has the right to temporarily assign an employee to any position, in any department, when it is deemed by the City Administrator to be in the best interest of the City.

Job Description and Performance Reviews

A job description has been developed for each position at the City, including the duties, function of the position and required qualifications. A list of specific duties may be assigned in addition to responsibilities in the basic job description.

Employees will be given formal performance reviews after six months from the date of hire and annually in March thereafter. The employee, the employee's supervisor and the City Administrator will participate in the review process. An employee's supervisor or the City Administrator may also do a "non-periodic" review at any time between the annual reviews.

Layoffs

[The Union Contract will govern for union employees]

It is our goal to provide stable employment to our employees by operating the City effectively and efficiently. However, change of duties in the organization, lack of work, lack of funds, or other changes may affect our employment needs. In the event we decide that it is necessary to eliminate or consolidate jobs or otherwise curtail staff, layoffs may be necessary. The decision of which individuals to be laid off will be made by the City Administrator based on an evaluation of the comparative work performance of the employees affected, as well as the skills and abilities of those employees to perform the work remaining. In the event we feel the performance, skills and abilities of the employees we are considering for layoff are relatively equal, preference will be given to the employee with the longest length of service with the City.

In the event the position from which the employee was laid off becomes available within twelve (12) months after the effective date of the layoff, the employee who was laid off will be rehired provided they are in good standing with the most recent performance evaluation being satisfactory and they accept the position within five (5) days notice by the City that the position is available. Notice of the position vacancy shall be sent to the employee's last known address by certified mail, return receipt requested.

Employment of Relatives

The City will not refuse to employ or will not discriminate against an individual in terms, conditions, or privileges of employment because another member of the individual's family is an employee of the City or an elected official in the City. The City will not employ family members where an employee would be in a supervisory relationship over a member of that individual's family, or where there are other bona fide business reasons not to employ a member of an employee's family. The employment of relatives will be considered on a case-by-case basis according to the facts that arise in each situation, and will be submitted to the City Administrator for approval, prior to a commitment to hire. Whenever family members are employed, neither will be responsible for conducting performance evaluations for the other.

For the purposes of this section, "a member of an individual's family" includes the spouse, children, parents, brothers and sisters, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, step-parent or step-child of the individual, and any person residing in the same household with the individual.

In the event two employees become married and a supervisory relationship exists, they must disclose their marriage to the City. The City may choose to take appropriate action, including reassigning one of the employees.

Termination of Employment

Employees should attempt to give the City at least 2 weeks notice of their intent to terminate their employment and the City, except for employees terminated for a major infraction, will attempt to do the same for any layoff, cutback, or when a position has been eliminated from the budget. The Assistant to the City Administrator will conduct an exit interview and everyone leaving the City's employ is expected to participate in the exit interview and complete any exit forms.

HOURS AND WORK SCHEDULES

Schedules

[The Agreement will govern for Union employees]

The workweek for all employees, unless the city administrator and your supervisor establish a different one, begins on Saturday and ends on Friday. The work week, to the extent consistent with operating requirements of the divisions within the City, and covered by this agreement, and recognizing the necessity for continuous service by such divisions throughout the week, shall consist of four consecutive 10-hour days or five consecutive 8-hour days, as scheduled by the City. Employees engaged in continuous operations are defined as being any employee or group of employees engaged in an operation for which there is regularly schedule work for seven days a week. Every reasonable effort will be made by the City to provide five, 8-hour days of work and two consecutive days off for employees involved in continuous service operations or shift work consistent with programming shifts and/or rotation of personnel as their regular workweek.

The regular hours of work each day shall be consecutive, except for interruptions for authorized rest periods and meals. It is understood that all work in excess of eight hours in any 24-hour period, from midnight to midnight, on a five day work week, or all work in excess of 10 hours in any 24-hour period, from midnight to midnight, on a four-day work week, shall be compensated for at the applicable overtime rate.

All employees shall be scheduled to work on a regular shift, and each shift shall have regular starting and quitting times. Work schedules showing the employee's shifts, work days and hours shall be posted on department bulletin boards. Except for emergency situations, as set by the City and during the duration of the emergency, work schedules for any work shift shall not be changed unless the changes are posted 48 hours prior to the effective date of the change.

Reporting for Work

You are expected to report for work in sufficient time to begin working at the scheduled starting time. You are also expected to continue working during your regular work schedule, except meal periods and breaks, unless otherwise approved by the City Administrator. If it is necessary for you to leave work during working time, be sure to obtain prior approval.

Overtime

Employees are classified as exempt or non-exempt for overtime purposes. Exempt employees are not entitled to overtime pay. An employee who receives a pre-determined amount of compensation on a weekly or monthly basis is "salaried". Other employees are compensated on an hourly basis. Non-exempt employees will be paid overtime at time and one-half (1.5) their regular hourly rate for hours worked in excess of 40 hours in a workweek. Holiday hours count as time worked. Other kinds of leave hours do not. If you are a non-exempt employee and you are absent due to illness, vacation or any other reason during the workweek, other than a regularly scheduled holiday, you will receive straight time pay until you have worked a total of 40 hours that week. Only pay received for hours worked and holiday hours is counted toward the computation of overtime.

Generally, the City does not provide compensatory time (paid time off for hours not worked) in exchange for overtime pay. However, with the City Administrator's approval, you may trade time within an individual workweek to avoid overtime. Comp time off at a rate of 1.5 hours for each overtime hour worked may be allowed if the City Administrator and the employee make an agreement prior to the performance of the work.

Maximum accrual is 40 overtime hours worked, or the equivalent of 60 hours compensatory time off, and shall be used within the quarter earned, or as soon as possible after it is earned.

All overtime and comp time must be authorized by the City Administrator before it is worked, unless emergency circumstances prevent prior approval. Unauthorized overtime will result in a written warning or termination, as deemed appropriate.

Employees are expected to perform overtime work when it is required. If the assignment of overtime work presents a hardship for you, discuss your concern with the City Administrator.

The City will consider a particular employee's needs and desires to the extent the City believes it is practical and fair to your co-workers.

Weekend Chores and Required Meeting Attendance

All Public works employees are required to be on-call and scheduled for "rounds" for an entire calendar week on a rotating basis. This "rounds" person responds to after-hour emergencies and must carry a pager provided by the city at all times during his or her rounds week. The pager must be kept on and the rounds employee must respond immediately whenever paged, day or night. The rounds employee must stay within a one-hour drive of the city to ensure a prompt response to any emergency.

Any employee who is required to perform weekend chores, (usually the person who is carrying the pager on standby duty), shall be compensated at two (2) hours of overtime pay for each day they perform these chores. Any employee who is required to attend any meetings that are conducted outside of the regularly scheduled work shift shall be compensated for the time spent at the meeting with a minimum of two (2) hours pay at the applicable overtime rate. If the meeting should last longer than two hours the time shall be rounded up to the next half-hour and paid at the applicable overtime rate.

Call Back Time. Employees called back to work shall receive overtime pay for the work for which they are called back to perform, and if called back, they shall be credited with not less than two (2) hours in any event at the overtime rate. Callbacks within the same two (2) hour period will not be considered as one. This section applies only when callback results in hours worked which are not annexed consecutively to the one end of the work shift or workday. If at the end of the shift, the employee has departed the City's premises before being called back, the same shall be considered overtime and compensated as call back under this section.

Scheduled Standby Time. Any employee assigned by his supervisor to be on a schedule of standby time, and who is required to be able to report to work within sixty (60) minutes of being called to work shall be compensated at the rate of four (4) hours at the regular rate for the week he is required to carry the pager. Scheduled standby time means that the employee will be required to respond to the "pager" calls for work situations requiring the assigned employee's immediate attention. The employee will normally fulfill these responsibilities on a schedule worked out by their supervisor. However, if the employee on scheduled standby status finds that an emergency situation exists- one that results in either his/her working on a particular task or tasks, or the calling out of a crew of employees to perform emergency repair/maintenance work- the employees shall receive overtime pay for all hours he/she works during such an emergency. Authorization must be obtained from the employee's immediate supervisor or from the Public Works Superintendent or City Administrator prior to the employee implementing the foregoing emergency procedures.

Time Records

We want to be sure our employees are paid for all the work they perform. To accomplish this, we must have an accurate record of time worked. All employees are required to accurately and fully report hours worked on their time sheets and sign the time sheets. All absences

must be noted on the time sheet. All time sheets will be reviewed on a monthly basis. Time sheets must be turned in 2 days before the last working day of each month. Any corrections or changes for the last 3 days of any month which occur after the time sheet has been submitted must be noted in the "Remarks" section of the time sheet for the following month.

In fulfilling this responsibility you should report your hours starting from the time you begin working and ending when you stop working, excluding your meal period.

Non-exempt employees should not start working before their scheduled starting time or work beyond their scheduled quitting time. Similarly, non-exempt employees are fully relieved of all work responsibilities during their meal periods. If you are a non-exempt employee we do not want you to remain at work to perform even incidental duties, like telephone answering, during your meal period. Your lunch period is to be used only to eat or attend to non-work related matters.

Meals

All employees shall be granted a meal period during each work shift of at least 6 hours duration. Meal periods shall not be paid but shall be in addition to the eight or ten hours of service comprising the workday. A meal period shall consist of 1/2 hour or 1 hour as determined by the City. Meal periods shall normally be scheduled at noon; however, if the job requires the employee to work during their normal lunch hour, they shall be given an opportunity to reschedule the lunch hour at an earlier or later time. A meal period includes personal clean-up and eating time. Consistent with departmental work rules, it may be taken at a location of the employee's choice, providing that the total time away from the job does not exceed the 1/2 hour or 1 hour allowed.

Flex Time

Employees may vary their work schedule with the approval of the City Administrator. For example, an employee may be allowed to work four (4) days per week, ten (10) hours per day.

COMPENSATION

Paydays

Paychecks are issued on the last working day of each month.

If you want your paycheck released to your spouse or another person, you must sign a statement authorizing release.

Payroll Deductions

Deductions from your paycheck fall into two categories: legally required deductions and voluntary deductions. Legally required deductions, such as FICA, federal and state taxes, etc. are automatically deducted. Other items you wish to have deducted from your paycheck, such

as insurance contributions, deferred compensation, union dues, etc. will be deducted only upon written authorization from you.

Corrections

If you have questions or feel your paycheck is not accurate, promptly notify your supervisor. We do not want to make mistakes in paying our employees. By bringing mistakes in payment of your wages to our attention as soon as possible, you will help us make sure you are properly paid for all the work you perform.

Salary Increases

An annual wage increase shall be set forth in the union contract for all union employees and will be effective each July 1 (for the duration of the union contract).

Wage Increases for non-union employees, and additional increases for union employees, may be given at the discretion of the City Administrator, based on individual employee performance and annual evaluations, which are reviewed and discussed with each employee and maintained in the employee's permanent personnel file.

[Amended by Resolution 04-06 on March 11, 2004]

Any employee who is required to obtain special training or certification shall receive a step increase upon successful completion of such training or certification. This requirement of training or certification must be mandated in writing from the City Administrator to qualify for the above stated step increase. This increase shall become effective in the payroll period beginning on the first of the month following the successful completion of such training or certification. This section applies to all training completed or certificates received after January 1, 2003.

New Appointments/Hires

Normally new employees are hired at the first step of the pay plan for their classification. However, in instances when a new employee has specific experience, educational background, or specialized skills which exceed those required for the position, such applicants may be hired in above the minimum or entry level (Step 1) salary, at the discretion of the City Administrator.

Draws & Advances

Employees may receive on the 15th of the month a draw up to one-half (1/2) their monthly net pay after deductions.

Advances against future pay are not given except in very extraordinary circumstances with the approval of the City Administrator. If you receive an advance against future pay, please remedy the advance as soon as possible. Any outstanding debt, including advances against future pay, are due and payable upon termination, resignation or layoff, or, unless approved by Council for a longer period, within 6 months, whichever occurs first. Employees will be required to sign an Authorization for Deduction from their paycheck prior to receiving an advance against future pay.

TRAVEL EXPENSES

When employees are required to travel outside the City on City business, reimbursement for expenses incurred shall be determined as follows:

- Prior to traveling outside the City, the employee will obtain approval for the trip and the mode of travel from his/her Supervisor.
- Employees shall be reimbursed for non-voluntary, official use of an employee's personal automobile at the current IRS rate. This rate includes all travel and insurance of the vehicle. The employee shall provide written request for reimbursement to the City prior to payment of reimbursement. Official use must be at the discretion of the City with prior approval from the City Administrator.
- Employees using personal vehicles for City business may be required to furnish the City proof of personal insurance coverage.
- When travel by City-owned vehicle is authorized, employees should not use such vehicles for personal reasons. Travel between home and work using City-owned vehicles IS STRICTLY PROHIBITED.
- Reimbursement for subsistence on official trips will be the amount of actual and reasonable expense incurred during the performance of official duty as a City Employee for the City's benefit. Receipts for the expenditures must be submitted along with the expense report for reimbursement. The City may establish the maximum amount to be expended for daily meals and lodging.

HOLIDAYS

Recognized Holidays

All regular full time employees are eligible to receive holiday pay. The City of Lafayette observes the following holidays:

New Year's Day	Labor Day
Martin Luther King, Jr. Day	Thanksgiving Day
Memorial Day	the Day After Thanksgiving; and
Independence Day	Christmas Day

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

PAID TIME OFF (PTO)

All regular full time employees are eligible to receive PTO. Regular part-time employees who work at least 20 hours per week are eligible for prorated PTO. Part-time employees working less than 20 hours per week, temporary and casual employees are not entitled to PTO.

The amount of PTO a regular employee is entitled to receive depends on length of continuous service and the number of hours you work during your vacation anniversary year, (A "vacation anniversary year" runs from an employee's date of hire to the same date the following year).

Regular full-time (union and non-contract, non-union) employees earn PTO as follows:

LENGTH OF CONTINUOUS EMPLOYMENT	PTO BENEFIT	
	<u>Mo. Accrual:</u>	<u>Annual Time Off:</u>
1 through 60 months of service	19.34 hours/mo	232 hours
60 through 120 months of service	23.34 hours/mo	280 hours
more than 120 months of service	24.67 hours/mo	296 hours

Employees are not allowed to take paid time off that has not been accrued. Likewise, employees are not paid for vacations in lieu of taking vacation time off. We believe that it is important for you to use your vacation time to relax or engage in recreational activities. **Accrued comp time shall be used before paid vacation leave is taken.**

Vacation Scheduling

Vacations must be scheduled in a way that allows the City to meet the needs of our operations. Consequently, requests for vacation time must be approved at least four weeks in advance by your supervisor and the City Administrator.

If two or more employees request vacation time and it is determined by the City Administrator that approving the time off will result in under staffing, the employee with the most seniority will be given preference. The City reserves the right to deny any requests for vacation time if it is determined that time off will be disruptive to its operations.

PTO Accumulation and Carryover

Non-Union Employees may accumulate and carry over up to 480 hours of PTO. After an employee accumulates 480 hours of PTO, he/she will stop earning and accruing any vacation pay. Consequently, it is important for employees to take time off to avoid reaching a maximum.

Payment Upon Termination

When an employee is discharged, resigns, or the employment relationship is otherwise terminated, the employee will be paid for all accrued comp. time and 40% of PTO that has not been used or forfeited.

For the purposes of PERS, personal time off shall be allocated 40% to vacation and 40% to sick time.

Treatment of Accrued Sick Leave

Employees who have previously accrued sick time off prior to implementation of paid time off will have such sick time banked. Banked sick time may be used at the employee's request as paid sick time off in lieu of PTO, until time banked in the sick time bank is exhausted. Any sick time which is banked and unused will be rolled over, as provided by PERS, into the employee's retirement upon termination of employment.

INSURANCE

City of Lafayette provides a group health insurance plan covering medical, dental, vision and prescription drugs for regular full-time and permanent part-time employees who are regularly scheduled to work at least 20 hours per week. New employees are eligible for this coverage on the first day of the first calendar month following their first 30 days of employment. Under this plan, the City currently pays the premium on behalf of eligible employees for coverage of the employee and all dependents. The percentage of the City's contribution toward employee's premium or dependent coverage may change as costs rise, or as dictated in union contract for members of bargaining unit.

Eligibility Requirements

Regular full time and permanent part time employees become eligible to participate in the plan on the first day of the month following 30 days of employment.

Eligible employees must sign and submit an enrollment form to the City before the first day they are eligible to participate in the plan in order to have coverage. It is the employee's responsibility to submit a fully completed enrollment card on a timely basis. Failure to do so could result in delays or denial of coverage by our insurance carrier so be sure to plan ahead.

Termination of Coverage

The City's paid contribution toward employees' group health insurance plans will end on the last day of the month in which an employee resigns, is terminated, laid off, or otherwise stops receiving compensation from the City. The City will continue to pay its portion of the premium for employees who have been off work and receiving workers' compensation time loss benefits for at least thirty (30) days and up to six months. The City will resume its payment of contributions beginning with the first month following employee's return to work as a regular full time or permanent part time employee.

Employees who lose their coverage may elect to self-pay the premium (COBRA) for continued coverage if permitted by the City's health insurance plan.

Changes in Status

Be sure to advise the City's designated Plan Administrator if there is a change in your family status so that you can maintain the proper amount of health insurance coverage, including address changes. After you leave employment with the City, you may continue to receive the group health benefits for a time by paying the cost of the insurance yourself. See the assistant to the city administrator for details as to the cost and duration of this continuation of coverage for former employees, their spouses and dependents.

Changes in Coverage

Employees should note that it might become necessary to change insurance carriers or plans at any time. You will be notified prior to any such change. You should also recognize that the City's obligation extends only to the requirement to pay contributions to eligible employees after any necessary enrollment cards and eligibility requirements have been satisfied and submitted. Disputes regarding scope of benefits, etc. should be directed to the respective provider of the specific benefit. Summaries of benefits are available through the City Administrator, or you can refer to your summary plan.

OTHER BENEFITS

Retirement

All employees hired to work 600 hours or more per year are eligible for the group retirement plan when they have completed 6 months of employment. The cost of this benefit is fully paid by the City. See the employees' plan (PERS) description for details.

Life Insurance

The City provides a group life insurance plan for all regular full-time employees.

Industrial Accidents & Illnesses

The City provides insurance coverage for all employees through the State Compensation Board covering job-related injuries and illnesses occurring during employment with the City. When an employee must take time off from work as a result of such injury or illness, he/she shall receive compensation as scheduled by the State Compensation Board.

Conferences & Conventions

Decisions concerning employee attendance at conferences, conventions, or other meetings, at City expense, shall be made by the City. Permission may be granted on the basis of an employee's required participation in the meeting. Members of professional societies may be granted permission to attend meetings of their society, when such attendance is considered to be in the best interest of the City.

Educational Aid and Training

The City encourages training opportunities for employees in order that services rendered to the City will be more effective. At the discretion of the City, training sessions may be conducted during regular work hours. Overtime will not be paid for hours beyond the employee's regularly scheduled work hours during training.

The City will pay 100% of an employee's tuition cost upon successful completion of a job related course, provided, **HOWEVER, WRITTEN APPROVAL MUST BE GRANTED BY THE CITY PRIOR TO ENROLLMENT AND THE EMPLOYEE MUST BE ACTIVELY EMPLOYED ON THE DATE REIMBURSEMENT IS TO BE MADE.**

When attendance is required by the City, 100% of the cost will be paid by the City. In such cases, all educational materials provided to the employee shall become the property of the City. Public works employees are encouraged to study for and obtain state certification for water and wastewater. Whenever such training is approved in advance by the City Administrator, it will be paid by the City.

LEAVES OF ABSENCE

The City of Lafayette is not covered by the State Family Leave Act (OFLA), but is covered by the Family Medical Leave Act (FMLA) under the terms of Federal and State statutes.

The City Administrator, may grant an unpaid leave of absence, up to twelve (12) weeks, at the request of an employee, if the Administrator finds that: (1) the employee's proposed absence will not cause a hardship to the City, (2) a temporary employee can perform the employee's job in his or her absence at a cost acceptable to the City Administrator, and (3) the request is submitted in writing.

Requests shall establish reasonable justification for the leave and the beginning and ending time requested. Upon approval, the employee's position will be held open, subject to budgetary limitations, until the ending time stated in the leave request. Any use of other personnel for the employee on leave's duties shall be a temporary appointment. If circumstances have changed so that the employee cannot be reinstated to the former or equivalent job, the employee shall be reinstated in any other position which is available and suitable.

No PTO, retirement or other benefits will be continued or accrued during periods of leave without pay.

Approved request shall be signed by the department head with any conditions or changes in the request for entry in the employee's personnel file.

FEDERAL MEDICAL LEAVE ACT (FMLA)

Eligibility

Employees who have been with the City for more than 12 months and have worked at least 1,250 hours immediately preceding a Federal Medical Leave Act (FMLA) leave are entitled to take up to twelve weeks leave within any calendar year for the :

- Birth of a child, completed within one year of the event.
- Adoption of a child or the placement of a foster child, completed within one year of the event.
- Care of a spouse, child, or parent with a serious health condition.
- The employee's own serious health condition.

For the purposes of this policy a *serious health condition* is defined as an illness, injury, impairment or physical or mental condition that requires:

- In-patient care in a hospital, or residential medical care facility.
- Incapacitation or treatment due to a chronic or long-term serious health condition.
- Continuing treatment by a health care provider involving a period of incapacity, for example, and absence from work, school, or regular day activities of more than three days combined with continuing treatment or incapacitation due to pregnancy or prenatal care, including severe morning sickness (which does not require more than three days of treatment).
- Permanent long-term conditions that require supervision.
A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's, a severe stroke, or the terminal stages of a disease.
- Multiple treatments (non-chronic condition)
Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).

"Incapacity" means the inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment therefor, or recovery therefrom.

"Treatment" includes examinations to determine if a serious health condition exists and evaluations of the condition. Treatment does not include routine physical examinations, eye examinations, or dental examinations.

A regimen of **"continuing treatment"** includes, for example, a course of prescription medication (e.g., an antibiotic) or therapy requiring special equipment to resolve or alleviate the health condition. A regimen of treatment does not include the taking of over the counter medications such as aspirin, antihistamines, or salves; or bed rest, drinking fluids, exercise, and other similar activities that can be initiated without a visit to a health care provider.

Leaves provided under the FMLA may run concurrently with leave provided under the ADA and the Workers' Compensation System.

Notice of Leave

An employee requesting an FMLA leave must submit a written request at least 30 days prior to the anticipated leave date. If a leave must begin in less than 30 days, the worker must provide written notice as soon as is practicable. An employee's failure to provide written notice of the request for FMLA leave may result in the leave being denied.

If an FMLA Leave is requested for the purpose of caring for a seriously ill family member or for the employee's own serious health condition, the employee should make a reasonable effort to schedule treatment to minimize disruption to the City's business operation, subject to the approval of the treating physician.

If the FMLA Leave is taken for the birth of a child, adoption, or placement of a foster child, the time taken must be in one block of time. When leave is used to care for a seriously ill family member or for the employee's serious illness, the time can be taken in intermittent periods when medically necessary

Medical Verification

Concurrent with applying for a FMLA Leave, the employee must provide medical documentation to support the request in a timely manner, which will be interpreted to mean within 15 days of applying for a FMLA Leave. If the leave is for the employee's own serious health condition, the employee may also be required to provide a fitness for duty medical release from the employee's health care provider before returning to work.

Once the employer acquires knowledge, or believes, that the leave is being taken for an FMLA required reason, the employer will promptly notify the employee that future paid leave will be conditionally designated as, and counted against, FMLA Leave. The employer may also count already used paid leave taken after the FMLA qualifying event against the employee's 12 week entitlement, under certain circumstances. A certification from a health care provider may be required.

The employer may delay the taking of, or the continuation of, FMLA Leave to an employee who fails to provide timely certification after being requested by the employer to furnish such certification. If the employee never produces the certification, the leave is not FMLA Leave.

Employee Benefits and Reinstatement

The City is responsible for maintaining an employee's medical/dental coverage for the length of the leave under the coverage conditions that would have been available in the absence of a leave. The employee must continue to pay their share, if any, of the insurance premiums, if they are normally required to do so. Under certain circumstances, the employer may recover its share of health plan premiums during the period of unpaid FMLA Leave from an employee if the employee fails to return to work after their FMLA Leave entitlement has been exhausted.

Employees are required to use whatever accrued sick, comp, and PTO time they have earned (in that order) before taking time without pay.

Following an FMLA Leave, an employee will be returned to his or her former position or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment. Reinstatement may not be available if your former position is eliminated under circumstances where the law does not require reinstatement. No employment benefits earned prior to the employee's leave will be lost during a FMLA Leave.

2. Jury Duty Leave

Employees shall be granted leave with pay for service upon a jury, provided, however, that the salary paid to such an employee by the City for the period of such absence shall be reduced by the amount of money received for such jury duty. Upon being excused from jury service for any reason an employee shall immediately contact the department head or his/her immediate supervisor for work assignment for the remainder of his/her workday.

3. Bereavement Leave

In the event of a death in the employee's immediate family, an employee may use PTO not to exceed five (5) calendar days as bereavement leave. An employee, at his or her discretion, may also take up to five (5) days unpaid bereavement leave. "Immediate family" includes spouse, father, mother, children, brother, sister, father-in-law and mother-in-law.

When possible, the City will also grant PTO or unpaid leave for the funerals of other relatives or friends who do not meet the definition of "immediate family".

Requests for bereavement leave should be directed to the City Administrator.

4. Military Leave

Upon entry into the U.S. Armed Forces, National Guard or Reserves, employees are granted an unpaid leave of absence for the period of their military services in accordance with applicable state and federal law.

6. Miscellaneous Leave With Pay

A full-time employee, with approval, is entitled to leave his/her duties without loss of time, pay, or other leave benefits for absence caused by:

- Time necessary for voting, when the employee is unable to vote before or after working hours, due to an emergency work schedule.
- Employees who participate in a search and rescue operation at the request of fire or law enforcement, including conflagration act fires, by the U.S. Department of Transportation, the United States Forest Service, or a local civil defense organization, shall receive pay for up to five (5) days per incident for participation in the operation per ORS 652.250.

7. Other Leaves

The City will comply with other applicable laws regarding leaves of absence.

SAFETY

It is our policy to provide safe working conditions for all employees. We rely on our employees to work in a manner that does not produce injury to themselves, persons working with them and the general public. Our goal is to have zero accidents and injuries. Only through your complete cooperation will we achieve this goal.

Reporting Unsafe Working Conditions

It is the responsibility of all employees to report any unsafe working condition promptly. to the City Administrator. We encourage our employees to work with us to maintain safety by alerting us to potentially unsafe conditions.

Reporting Injuries

Work related injuries and illnesses must be reported to your supervisor or the City Administrator as soon as possible. This is essential. Even though a work related injury might appear to be of little consequence, it is important that it be reported in sufficient detail to establish a claim should complications follow.

All employees are likewise required to report any accident involving City employees and other persons. These accidents must be reported in sufficient detail to allow the City to respond. Employees are expected to cooperate fully with all accident investigations.

Safety Guidelines

We have established safety guidelines wherein all employees are to work with management to prevent accidents and injuries. We also have a safety committee chaired by the Fire Chief. All employees will be provided with a copy of the City Safety manual, and all employees will be expected to comply with the procedures outlined therein.

All employees are expected to have an interest in the general promotion of safety and health for the City of Lafayette. Employees are responsible for making recommendations on improving safety and health in the workplace by:

- Identifying potential hazards and suggesting corrective actions.

- Maintaining and promoting the interest of all City employees in occupational safety and health matters.

Employees who have suggestions for improving work site health and safety should submit them to the City Administrator.

Emergencies

If you need to respond to a medical emergency that occurs at the office, first dial 911 and then notify your supervisor or the City Administrator.

DRUG AND ALCOHOL POLICY

Introduction

The City of Lafayette is committed to maintaining high standards of employee safety, productivity and reliability. The purpose of this policy is to promote a safe and productive working environment and prevent accidents, injuries and property damage which may result from drug and alcohol abuse.

Prohibited Conduct

The following conduct is strictly prohibited:

- Consuming, manufacturing, buying, selling, distributing or possessing drugs or alcohol on City premises or while off City premises doing City work. This rule applies regardless of whether you are on paid time. "City premises" includes all property rented, leased, owned or controlled by the City, including parking lots and adjacent areas. It also extends to City equipment and vehicles on or off our property.
- Failing to fully cooperate with any aspect of the City's enforcement of this policy, including but not limited to refusing to promptly submit to required testing; giving false, diluted or altered urine samples and failure to comply with rehabilitation conditions imposed by the City or rehabilitation counselors.
- Failure to promptly report conviction, arrest or plea bargaining for an alcohol or drug related criminal offense. All drug and alcohol related convictions, arrests and plea-bargaining arrangements must be promptly reported to the City Administrator. This obligation to disclose applies to all convictions, arrests or plea bargains that occur after the effective date of this Handbook.

"Drugs" refers to all controlled substances and medication containing controlled substances, including "designer drugs" not approved for use by the U.S. Food and Drug Administration. "Drugs" also applies to prescription medication. For more detailed information on the requirements which apply to employees using prescribed medication, please refer to the "Prescribed Medications" section.

Employees who engage in any prohibited conduct will be subject to discipline, including discharge.

Mandatory Testing

Consistent with the rules adopted by the US Department of Transportation, mandatory testing will be required for any employee with a "CDL" (commercial) driver's license who uses that license during the course of his or her employment. The City of Lafayette also requires mandatory testing for all new employees as a condition of employment.

Reasonable Suspicion Testing

All employees will be required to immediately submit to alcohol and/or drug testing whenever the City has reasonable suspicion that the employee has been using drugs or alcohol before reporting to work or returning from breaks. Urine will be used to test for drugs; blood will be used to test for alcohol.

Employees who are required to submit to reasonable suspicion testing are prohibited from transporting themselves to the collection site. A supervisor or the City Administrator will provide transportation.

Refusal to submit to the above test or otherwise cooperate in City investigations and enforcement of this policy will subject an employee to discipline, including discharge.

Safeguards

The City recognizes the sensitivity of enforcement of this policy. The City will use qualified medical personnel and supervisory personnel to administer this policy.

The City will use equipment, procedures and facilities that have a high degree of accuracy and integrity in testing and analysis.

The detectable presence of any drug in the system will constitute a "positive" test. All positive test results will be confirmed using the GCMS testing method. Employees who wish to challenge a positive test result are required to notify the City Administrator of their doubts as soon as possible but no later than 10 days after notification of the test result.

Test results and other information concerning drug and alcohol investigations will be treated confidentially and released only when there is a need-to-know.

Prescribed Medication

Employees using prescribed drugs or non-prescription medications which have any side effects that could affect their ability to competently and safely perform job duties must notify their supervisor of the substance taken and its side effects before reporting for work. Medical verification of ability to competently and safely perform job duties may be required before the employee is allowed to continue his/her work assignment.

Although the use of prescribed drugs or non-prescription medications which contain controlled substances as part of a prescribed medical treatment program is not grounds for disciplinary action, failure to report the use of such substances, illegally obtaining the substance or use which is inconsistent with a prescription or label, will subject an employee to disciplinary action as determined appropriate by the City.

Rehabilitation Assistance

Employees who have alcohol and/or drug dependency problems, or feel they may have such problems, are encouraged to contact their supervisor or the City Administrator. Although the City will support voluntary treatment efforts for employees with drug and alcohol dependency problems who voluntarily seek assistance, it is up to each employee to pursue treatment before dependency problems result in unsatisfactory performance, attendance, or safety records, etc. and before the employee violates this policy.

When an employee voluntarily reports a drug or alcohol dependency problem and seeks assistance, that employee will be placed on a leave of absence or adjusted working hours to allow for in-patient or out-patient rehabilitation treatment. The employee will not be permitted to work until such time as a competent medical authority, approved by the City, has certified the employee has controlled the problem and is able to competently and safely perform the job assignment.

The time an employee is off work undergoing rehabilitation is unpaid. However, employees may draw their unused, accumulated vacation pay and sick leave. Also, employees who are receiving health insurance coverage will be eligible for insurance benefits as outlined in their plan and will continue to receive health insurance contributions from the City as required by applicable laws.

In order to continue working for the City, an employee seeking assistance must agree to all treatment, rehabilitation, after-care and follow-up testing as set forth in a written Rehabilitation to Work Agreement required by the City.

STANDARDS OF CONDUCT

We believe that most employees prefer to work in an environment in which serious or repeated violations of the City's standards are not permitted. With that in mind, we have established rules which, together with observing all other proper standards of conduct, employees are required to obey. Aside from the City's right and your right to terminate our relationship at any time and for any reason, the City may issue verbal or written warnings, suspend, demote, or take other disciplinary action against employees for violation of our rules or policies as we deem appropriate.

We have grouped examples of the types of conduct that are not acceptable into two basic categories: minor and major infractions. When we feel a regular employee has committed a minor infraction, the employee will generally receive a written warning prior to termination; (trial period, temporary or casual employees will not generally be given a written warning prior to termination.) However, each situation will be evaluated according to the circumstances involved, and the type of discipline administered may vary from that listed in each group based upon our determination of the seriousness of the offense. Also, a warning for different minor infractions may be combined to determine the type of discipline administered. Written warnings will remain in an employee's personnel file indefinitely. Employees may respond in writing to warnings, which will also remain in the employee's personnel file indefinitely. These types of infractions include, but are not limited to, the following:

Minor Infractions

- Unsatisfactory attendance, including unauthorized or excessive absenteeism, tardiness, failure to notify us of intended absence or tardiness or failure to comply with other reporting policies.
- Careless, inaccurate, unreliable, or otherwise unsatisfactory work performance or productivity.
- Interfering with or impeding any employee's work, by creating distractions.
- Performing other than City work during work hours.
- Failure to follow safe working practices. (Note: When we feel an employee has committed a serious safety violation, that employee is subject to immediate discharge).
- Failure to promptly report an accident or injury or cooperate in accident or injury investigations.
- Using City property for personal use, without advance approval,
- Being rude or otherwise uncooperative in dealing with co-workers, supervisors or the public in the course of City business.
- Violating any City policy or practice, which is presently in effect or subsequently issued.
- Any other conduct which is, in the view of the City Administrator, sufficient to justify discipline.

Major Infractions

An employee who commits a major infraction is subject to immediate discharge or suspension. However, the circumstances of a situation will govern. The City reserves the discretion to terminate an employee for a series of minor infractions, a pattern and practice of behavior or even one incident. Major infractions include, but are not limited to, the following:

- Receiving three written reprimands for a minor infraction within a twelve-month period.
- Threatening, intimidating, coercing or assaulting another employee, supervisor, or others in the course of City business.
- Insubordination, including failure to follow any verbal or written job instructions issued by the City Administrator or a person in the position of authority as determined by the City.
- Provoking or instigating arguments, dissension or fights during working hours or on City premises or engaging in horseplay that results in injury or property damage.
- Deliberately delaying or restricting work, or inciting others to delay or restrict work.

- Discussing internal City matters or personal subjects that are not of public concern, which would be disruptive to the City or may interfere with the regular operation of the City; knowingly or recklessly making false statements about the City.
- Engaging in off-duty conduct which, in our view, seriously affects your ability to effectively perform your job duties and responsibilities.
- Any deliberate or reckless act of destroying or damaging City property or the property of others on City premises.
- Falsifying any reports or records, such as applications, absence and sickness reports, or time records.
- Removing an item from a personnel file, without the authority of the City Administrator.
- Committing repeated or serious violations of safety rules or safe working habits which we feel are repeated or serious.
- Engaging in discriminatory behavior or harassment of a sexual, racial, ethnic, or religious nature that we consider to be serious.
- Violation of our Drug and Alcohol Policy.
- Unauthorized possession of firearms and/or explosives on City premises.
- Violating any City policy, state or federal law presently in effect or subsequently issued which we feel is serious enough to justify immediate discharge.
- Any other conduct which is, in the opinion of the City Administrator, sufficient to justify discharge or suspension.

We believe these rules are clear and require little explanation, however, if you have any questions concerning the application or intent of these rules, please consult your supervisor or the City Administrator. Obviously, rules cannot be listed to cover every situation. Conduct not specifically mentioned will be disciplined according to the standards followed for what we feel is the most equivalent type of conduct listed.

An employee's overall record may be considered in determining the appropriate degree of discipline to be imposed in a particular case. The City will determine what the facts are, whether discipline is warranted, how serious the violation is, and what level of discipline is appropriate. Rules will be enforced in a manner that respects employee's constitutional and statutory rights. If you feel you have been unfairly disciplined, we encourage you to use the grievance procedure.

Notwithstanding all of the above listings and other verbal and written statements, employment can be terminated, with or without notice at any time and for any reason the City considers sufficient at its option or the employee's option. The above lists are intended to give you examples of some of the types of conduct that will lead the City to exercise its termination options.

GRIEVANCE AND COMPLAINT PROCEDURE

For discipline and discharge procedures for union employees, please see union contract.

The following applies to all non-union employees:

Open Door Policy

Generally, a satisfactory solution to workplace problems can be worked out provided the City knows about the problem. A satisfactory solution to the employee's problem will not result if the employee merely discusses it with his fellow employees, friends or family. The City can only deal effectively with problems or complaints of which it is made aware.

Therefore, to provide an effective and acceptable means for employees to bring problems and complaints to the City's attention, we have established a grievance and complaint procedure.

Step 1 – Report to City Administrator

Employees should discuss their problem verbally with the City Administrator as soon as possible after the event prompting the complaint. The City Administrator will review the matter and attempt to respond within ten (10) workdays.

Step 2 - Appeals to the City Council

In the event the employee is not satisfied with the resolution offered by the City Administrator, the employee may file a written appeal to the City Council. The appeal will state, in clear terms, the problem, the date the employee became aware of the problem, a description of attempts to resolve the problem, the dates these attempts occurred, the solution offered by the City Administrator, and the resolution offered by the appealing party. The City Council will meet within 21 days of receiving the appeal to review the problem and render a decision. They may call upon any individual having relevant information or knowledge concerning the appeal.

INTERPRETATION OF HANDBOOK PROVISIONS

All words and phrases used in this handbook will be construed according to their common usage. If the handbook is ambiguous or silent as to a particular personnel policy, the City Administrator shall interpret the language or supply the missing policy consistent with this handbook and state and federal law. Any such interpretation shall be final and binding on all employees.