

# Roosevelt City Corporation

## Government Manual

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### **ROOSEVELT CITY CORPORATION PREFACE**

Welcome,

Roosevelt's Personnel Policies and Procedures Manual is a guide for management and staff. This manual not only outlines Roosevelt's policy on the various phases of the employer-employee relationship, it also indicates how policy is to be administered. Consequently, each employee is able to use this Manual as a guide when policy needs to be applied to a given situation.

As an employee of Roosevelt, you will be expected to read, understand, and follow the policies and procedures contained in this manual. Experience has shown that written policies promote consistency, continuity, and understanding within an organization. Written policies also aid in consistently achieving fair and equitable interpretation of policy. Employees always feel a deeper understanding of their role in the organization when they realize that policies are uniformly administered.

Please be advised that it is the obligation of each employee of Roosevelt to conduct themselves in conformity with the principle of Equal Employment Opportunity at all times. All employment activities including, but not limited to, advertising, recruitment, hiring, promotion, demotion, transfer, disciplinary action, layoff, termination, compensation, and training, shall be conducted without unlawful regard to race, color, religion, sex, national origin, age, disability, or veteran's status.

Finally, no employee, officer, agent or other representative of Roosevelt has any authority to enter into any agreement for employment for any specified period of time or to make any agreement or representation, verbally or in writing, which alters, amends, or contradicts the provisions of this Personnel Policies and Procedures Manual.

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## **Chapter 1 - Role and Authority**

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# Policy Manual

## 100.1 PURPOSE AND SCOPE

The manual of Roosevelt City is hereby established and shall be referred to as the Policy Manual or the manual. The manual is a statement of the current policies, procedures, rules, and guidelines of this city. All employees are to conform to the provisions of this manual.

All prior and existing manuals, orders, and regulations rescinded.

## 100.2 POLICY

Except where otherwise expressly stated, the provisions of this manual shall be considered as guidelines. It is recognized that circumstances may arise that warrant departure from these guidelines. It is the intent of this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to employees of this city under the circumstances reasonably available at the time.

### 100.2.1 DISCLAIMER

The provisions contained in the Policy Manual are not intended to create an employment contract nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the City and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the City, its officials, or its employees. Violations of any provision of any policy contained within this manual shall only form the basis for administrative action, training, or discipline. The City reserves the right to revise any policy content, in whole or in part.

## 100.3 AUTHORITY

The City Manager shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state, and local laws, rules, and ordinances. The City Manager or the authorized designee is authorized to issue directives, which shall modify those provisions of the manual to which they pertain. Directives from the City Manager or the authorized designee shall remain in effect until such time as they may be permanently incorporated into the manual.

## 100.4 DEFINITIONS

The following words and terms shall have these assigned meanings throughout the Policy Manual, unless it is apparent from the content that they have a different meaning:

**Elected official** - Any individual who serves in the City government based upon selection by a public vote, as well as any individual who is appointed or otherwise selected to fill such a position that has been vacated prior to the conclusion of the elected individual's term.

**Employment Classification** - There are four classifications of employees within Roosevelt City:

- **Full-time** - An employee hired for an indefinite period in a position for which the normal work schedule is thirty (30) hours or more per week. Full-time employees may or may not qualify for specific City benefits.

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- **Part-time** - An employee hired for an indefinite period in a position for which the normal work schedule is less than thirty (30) hours per week. Part-time employees who are normally scheduled to work less than thirty (30) hours per week shall not qualify for City benefits.
- **Temporary** - An employee hired for a position which is required for only a specific, known duration, usually less than six (6) months or hired for a position which is required only for the summer or winter months (seasonal or internships). Temporary employees do not qualify for City benefits.
- **Appointed personnel** - Includes all positions subject to appointment pursuant to Utah State Code and/or Roosevelt City Ordinances, as they may be amended, including but not limited to City Manager, Recorder, Treasurer, Chief of Police, Engineer and Attorney provided that the relevant employment agreement expressly subjects and entitles them to these policies. Elected Officials and any person appointed to an elected official vacancy shall not be classified as "appointed personnel" pursuant to these employment classifications.

**Employment Status** - To facilitate provisions of the Fair Labor Standards Act, employees shall also be classified as either exempt or nonexempt, with respect to eligibility for overtime payment. They shall be defined as:

- **Exempt** - Positions of a managerial, administrative, or professional nature, as prescribed by Federal and State Labor Statutes shall be exempt from minimum wage and mandatory overtime payment regulations.
- **Nonexempt** - Positions of a clerical, technical, or service nature, as defined by Federal and State Labor Statutes, which are covered by provisions for minimum wage and mandatory overtime payment regulations.

**Manual** - The City Policy Manual.

**May** - Indicates a permissive, discretionary, or conditional action.

**Shall** or **will** - Indicates a mandatory action.

**Should** - Indicates a generally required or expected action, absent a rational basis for failing to conform.

**Supervisor** - A person in a position of authority that may include responsibility for hiring, transfer, suspension, promotion, discharge, assignment, reward, or discipline of other city employees, directing the work of other employees, or having the authority to adjust grievances. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.

The term "supervisor" may also include any person (e.g., lead or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank, or compensation.

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#### **100.5 ISSUING THE POLICY MANUAL**

An electronic version of the Policy Manual will be made available to all employees on the city network for viewing and printing. No changes shall be made to the manual without authorization from the City Manager or the authorized designee.

Each employee shall acknowledge having access to and having the opportunity to review the Policy Manual and any directives issued by the City Manager or the authorized designee. Employees shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

#### **100.6 PERIODIC REVIEW OF THE POLICY MANUAL**

The City Manager will ensure that the Policy Manual is periodically reviewed and updated as necessary.

#### **100.7 REVISIONS**

All revisions to the Policy Manual will be provided to each employee on or before the date the policy becomes effective. Each employee will be required to acknowledge having reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

Employees are responsible for keeping abreast of all Policy Manual revisions.

All city employees suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their supervisors, who will consider the recommendations and forward them to the City Manager as appropriate.

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## Standards of Conduct for Elected Officials

### 101.1 PURPOSE AND SCOPE

This policy establishes standards of conduct expected of all elected officials. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions, but they do identify many of the important matters concerning conduct.

#### 101.1.1 DEFINITIONS

Definitions related to this policy include:

**Conflict of interest** - Any actual, perceived, or potential conflict in which it reasonably appears that an elected official's action, inaction, or decisions are or may be influenced by a personal or business relationship. It includes conflicts defined and prohibited by state law.

### 101.2 POLICY

Elected officials of the City are expected to conduct themselves with the utmost professional integrity and objectivity. The service of every elected official of the City shall be based on conduct that reasonably conforms to the guidelines in this policy.

### 101.3 UNLAWFUL DIRECTIVES

Elected officials should not knowingly direct action or inaction that, if carried out, would result in a violation of any law or city policy. Elected officials should not make new commands that conflict with any previous command without making reasonable clarification that the new command is intended to countermand the earlier command.

### 101.4 GENERAL STANDARDS

Elected officials should conduct themselves in accordance with the federal and state constitutions and all applicable laws, ordinances, and rules.

Elected officials should familiarize themselves with policies and procedures applicable to their conduct and the conduct of all employees under their supervision.

### 101.5 ETHICS

Elected officials should avoid engaging in the following conduct:

- (a) Using one's status as an elected official of the City in any way that could reasonably be perceived as an attempt to gain influence or authority for non-city business or activity.
- (b) The wrong or unlawful exercise of authority for malicious purpose, personal gain, willful deceit, or any other improper purpose.
- (c) Acceptance of fees, gifts, money, tangible or intangible personal property, or any service, gratuity, favor, entertainment, hospitality, loan, promise, or any other thing of value from any person, business, or organization that is doing business with, or seeking to do business with, the City, or contrary to the rules of this city and/or laws of the state.
- (d) Offer or acceptance of a bribe or gratuity.

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- (e) Misappropriation or misuse of public funds, property, personnel, or services.
- (f) Any other failure to abide by the standards of ethical conduct.

#### **101.6 DISCRIMINATION, OPPRESSION, OR FAVORITISM**

Elected officials should not discriminate against, oppress, or provide favoritism to any person based on a classification or status protected by law.

#### **101.7 UNAUTHORIZED ACCESS, DISCLOSURE, OR USE**

Elected officials should avoid:

- (a) Unauthorized or inappropriate release of confidential or protected information, materials, data, forms, or reports obtained as a result of the elected official's position with this city.
- (b) The use of any information, photograph, video, or other recording obtained or accessed as a result of the elected official's position with this city for personal or financial gain.
- (c) Using city resources in association with any portion of an independent civil action. These resources include but are not limited to personnel, vehicles, equipment, and non-subpoenaed records.
- (d) Loaning, selling, allowing unauthorized use, giving away, or appropriating any city badge, uniform, identification card, or property for personal use, personal gain, or any other improper or unauthorized use or purpose.
- (e) Using city resources for campaign or other political purposes.

#### **101.8 CONFLICTS OF INTEREST**

Elected officials shall follow all laws regarding actual and perceived conflicts of interest and should avoid the appearance of actual or perceived conflicts of interest.

Elected officials should avoid directly supervising any employee who is a relative or with whom they are involved in a personal or business relationship. Elected officials should also avoid participating in, contributing to, or recommending promotions, assignments, performance evaluations, transfers, or other personnel decisions affecting an employee who is a relative or with whom they are involved in a personal or business relationship.

#### **101.9 ETHICAL COMPLIANCE DOCUMENTATION**

Elected officials should ensure that all required documentation pertaining to ethics, conflicts of interest, or any other matter related to conduct are timely completed and submitted to the appropriate authorities.

#### **101.10 OUTSIDE EMPLOYMENT**

Elected officials should avoid maintaining any outside employment or accepting any appointment that creates an actual or perceived conflict of interest or that inhibits their ability to competently complete the requirements of the office to which they have been elected. All laws related to the maintenance of outside employment for elected officials should be observed.

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## Standards of Conduct for All Employees

### 102.1 PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the City and are expected of all employees. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions, but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, employees are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this city or an employee's supervisor.

#### 102.1.1 DEFINITIONS

Definitions related to this policy include:

**Conflict of interest** - Any actual, perceived, or potential conflict in which it reasonably appears that an employee's action, inaction, or decisions are or may be influenced by a personal or business relationship. It includes conflicts defined and prohibited by state law.

### 102.2 POLICY

The continued employment or appointment of every employee of the City shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether during work hours or non-work hours, may be cause for disciplinary action.

### 102.3 GENERAL STANDARDS

Employees shall conduct themselves in accordance with the federal and state constitutions and all applicable laws, ordinances, and rules enacted or established pursuant to legal authority.

Employees shall familiarize themselves with policies and procedures and are responsible for compliance with each. Employees should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

Discipline may be initiated for any good cause. It is not mandatory that a specific policy or rule violation be cited to sustain discipline. This policy is not intended to cover every possible type of misconduct.

### 102.4 CAUSES FOR DISCIPLINE

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, or ethics, and specific action or inaction that is detrimental to the city's ability to effectively serve the public.

#### 102.4.1 LAWS, RULES, AND ORDERS

- (a) Violation of, or ordering or instructing a subordinate to violate, any policy, procedure, rule, order, directive, or requirement, or failure to follow instructions contained in city manuals.

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#### *Standards of Conduct for All Employees*

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- (b) Disobedience of any lawful direction or order.
- (c) Violation of federal, state, local, or administrative laws, rules, or regulations.

#### 102.4.2 ETHICS

- (a) Using or disclosing one's status as an employee of the City in any way that could reasonably be perceived as an attempt to gain influence or authority for non-city business or activity.
- (b) The wrongful or unlawful exercise of authority on the part of any employee for malicious purpose, personal gain, willful deceit, or any other improper purpose.
- (c) The receipt or acceptance of a reward, fee, or gift from any person for service incident to the performance of the employee's work with the City. Except as permitted by Utah State Code as amended.
- (d) Acceptance of fees, gifts, or money contrary to the rules of this city and/or laws of the state.
- (e) Offer or acceptance of a bribe or gratuity.
- (f) Any other failure to abide by the standards of ethical conduct.

#### 102.4.3 DISCRIMINATION, OPPRESSION, OR FAVORITISM

Unless required by law or policy, discriminating against, oppressing, or providing favoritism to any person because of actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, economic status, cultural group, veteran status, marital status, and any other classification or status protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power, or immunity, knowing the conduct is unlawful.

#### 102.4.4 RELATIONSHIPS

- (a) Unwelcome solicitation of a personal or sexual relationship during work hours or through the use of one's official capacity.
- (b) Engaging in sexual activity during work hours, including but not limited to sexual intercourse, excessive displays of public affection, or other sexual contact.
- (c) Establishing or maintaining an inappropriate personal or financial relationship as a direct result of any official business.
- (d) Associating with or joining a criminal gang, organized crime, and/or criminal syndicate when the employee knows or reasonably should know of the criminal nature of the organization.

#### 102.4.5 ATTENDANCE

- (a) Leaving the job to which the employee is assigned during work hours without justifiable cause and proper permission and approval.
- (b) Unexcused or unauthorized absence or tardiness.

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- (c) Excessive absenteeism or abuse of leave privileges.
- (d) Failure to report to work or to the place of assignment at the time specified and fully prepared to work without justifiable cause.

#### 102.4.6 UNAUTHORIZED ACCESS, DISCLOSURE, OR USE

- (a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms, or reports obtained as a result of the employee's position with this city.
- (b) The use of any city resources obtained or accessed as a result of employment or appointment to this city for personal or financial gain or without the express authorization of the City Manager or the authorized designee.
- (c) Loaning, selling, allowing unauthorized use, giving away, or appropriating any city badge, uniform, identification card, or property for personal use, personal gain, or any other improper or unauthorized use or purpose.
- (d) Using city resources in association with any portion of an independent civil action. These resources include but are not limited to personnel, vehicles, equipment, and non-subpoenaed records.
- (e) Using Roosevelt City's Internet/Intranet facilities to deliberately propagate any virus, worm, Trojan horse, trap-door program code, or other code or file designed to disrupt, disable, impair, or otherwise harm either Roosevelt City's networks or systems or those of any other individual or entity.

#### 102.4.7 EFFICIENCY

- (a) Neglect of duty.
- (b) Unsatisfactory work performance, including but not limited to failure, incompetence, inefficiency, or delay in performing and/or carrying out proper orders, work assignments, or the instructions of supervisors without a reasonable and justifiable cause..
- (c) Concealing, attempting to conceal, removing, or destroying defective or incompetent work.
- (d) Unauthorized sleeping during work hours or assignments.
- (e) Failure to notify the City within 24 hours of any change in residence address or contact numbers.
- (f) Failure to notify a supervisor of changes in relevant personal information (e.g., information associated with benefits determination) in a timely fashion.

#### 102.4.8 PERFORMANCE

- (a) Failure to disclose or misrepresenting material facts or making any false or misleading statement on any application, examination form, or other official document, report, or form, or during the course of any work-related investigation.

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- (b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive, or the willful and unauthorized removal, alteration, destruction, and/or mutilation of any city record, public record, book, paper, or document.
- (c) Failure to participate in investigations, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any city-related business.
- (d) Being untruthful or knowingly making false, misleading, or malicious statements that are reasonably calculated to harm the reputation, authority, or official standing of this city or its employees.
- (e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this city or subverts the good order, efficiency, and discipline of this city or that would tend to discredit any of its employees.
- (f) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:
  - 1. While on city premises.
  - 2. At any work site, during work hours, or while using any city equipment or system.
- (g) Improper political activity, including:
  - 1. Unauthorized attendance during work hours at official legislative or political sessions.
  - 2. Solicitations, speeches, or distribution of campaign literature for or against any political candidate or position during work hours or on city property except as expressly authorized by city policy, an employment agreement or contract, or the City Manager or the authorized designee.
- (h) Engaging in political activities during work hours except as expressly authorized by city policy, any employment agreement or contract, or the City Manager or the authorized designee.
- (i) Any act that brings discredit to this city.

#### 102.4.9 CONDUCT

- (a) Failure to promptly and fully report activities on the employee's part or the part of any other employee where such activities resulted in contact with any law enforcement agency or that may result in criminal prosecution or discipline under this policy.
- (b) Unauthorized or unlawful fighting, or threatening or attempting to inflict unlawful bodily harm on another.
- (c) Engaging in horseplay that reasonably could result in injury or property damage.
- (d) Discourteous, disrespectful, or discriminatory treatment of any member of the public or any employee of the City.

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- (e) Use of obscene, indecent, profane, or derogatory language during work hours or in uniform.
- (f) Criminal, dishonest, or disgraceful conduct that adversely affects the employee's relationship with the City.
- (g) Unauthorized possession of, loss of, or damage to city property or the property of others or endangering it through carelessness or maliciousness.
- (h) Attempted or actual theft of city property; misappropriation or misuse of public funds, property, personnel, or the services or property of others; unauthorized removal or possession of city property or the property of another person. Employees are authorized to possess Roosevelt City resources provided it is not for the purpose to deprive as defined in Utah State Code as amended.
- (i) Activity that is incompatible with an employee's conditions of employment or appointment as established by law or that violates a provision of any employment agreement or contract, including fraud in securing the appointment or hire.
- (j) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the City Manager or the authorized designee of such action.
- (k) Any other conduct that any employee knows or reasonably should know is unbecoming an employee of this city, is contrary to good order, efficiency, or morale, or tends to reflect unfavorably upon the City or its employees.
- (l) Running or managing a personal business during work hours or on City premises.
- (m) Willful destruction of City property or the property of a fellow employee.

#### 102.4.10 SAFETY

- (a) Failure to observe or violating city safety standards or safe working practices.
- (b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver's license, first aid).
- (c) Failure to maintain good physical condition sufficient to adequately and safely perform the work assigned, if applicable.
- (d) Unsafe firearm or other weapon handling, including loading or unloading firearms in an unsafe manner.
- (e) Carrying, while on the premises of the work site, any firearm or other weapon that is not authorized by law or the member's appointing authority.
- (f) Unsafe or improper driving habits or actions in the course of employment or appointment.
- (g) Any personal action contributing to a preventable traffic accident.
- (h) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable but within 24 hours.
- (i) Possession of dangerous or unauthorized materials, such as explosives or unlawful firearms, in the workplace.

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#### *Standards of Conduct for All Employees*

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##### 102.4.11 INTOXICANTS

- (a) Reporting for work or being at work while intoxicated or when the employee's ability to work is impaired due to the use of alcohol, medication, or drugs, whether legal, prescribed, or illegal.
- (b) Possession or use of alcohol during work hours.
- (c) Unauthorized possession, distribution, sales, transfer, use of, or attempting to bring a controlled substance, illegal drug, or non-prescribed medication to work.

## **Chapter 2 - Organization and Administration**

## Electronic Mail

### **200.1 PURPOSE AND SCOPE**

The purpose of this policy is to establish guidelines for the proper use and application of the electronic mail (email) system provided by the City.

### **200.2 POLICY**

Employees shall use email in a professional manner in accordance with this policy and current public records laws.

### **200.3 PRIVACY EXPECTATION**

Employees forfeit any expectation of privacy with regard to emails accessed, transmitted, received, or reviewed on any city technology system (see the Information Technology Use Policy for additional guidance).

### **200.4 RESTRICTIONS ON USE OF EMAIL**

Messages transmitted over the email system are restricted to official business activities, or shall only contain information that is essential for the accomplishment of business-related tasks or for communications that are directly related to the business, administration, or practices of the City.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing, or any other inappropriate messages on the email system is prohibited and may result in discipline.

Email messages addressed to the entire City are only to be used for official business-related items that are of particular interest to all users. In the event that an employee has questions about sending a particular email communication, the employee should seek prior approval from a supervisor.

It is a violation of this policy to transmit a message under another employee's name or email address or to use the password of another to log into the system unless directed to do so by a supervisor. Employees are required to log off the network or secure the workstation when the computer is unattended. This added security measure will minimize the potential misuse of an employee's email, name, or password. Any employee who believes the employee's password has become known to another person shall change the password immediately.

### **200.5 EMAIL RECORD MANAGEMENT**

Email may, depending upon the individual content, be a public record and must be managed in accordance with the established records retention schedule and in compliance with state law.

The City Recorder should ensure that email messages are retained and recoverable as outlined in the Records Maintenance and Release Policy.

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## *Electronic Mail*

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### **200.6 PERSONAL USE**

Brief and occasional personal use of the electronic mail system that is not excessive or inappropriate, occurs during personal time (lunch or other breaks), and does not result in expense to Roosevelt City.

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# Information Technology Use

## 201.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper use of city information technology resources, including computers, electronic devices, hardware, software, and systems.

### 201.1.1 DEFINITIONS

Definitions related to this policy include:

**Computer system** - All computers (on-site and portable), electronic devices, hardware, software, and resources owned, leased, rented, or licensed by the City that are provided for official use by its employees. This includes all access to, and use of, Internet Service Providers (ISP) or other service providers provided by or through the City or city funding.

**Hardware** - Includes but is not limited to computers, computer terminals, network equipment, electronic devices, telephones (including cellular and satellite), pagers, modems, or any other tangible computer device generally understood to comprise hardware.

**Software** - Includes but is not limited to all computer programs, systems, and applications, including shareware. This does not include files created by the individual user.

**Temporary file, permanent file, or file** - Any electronic document, information, or data residing or located, in whole or in part, on the system, including but not limited to spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs, or videos.

## 201.2 POLICY

It is the policy of the City that employees shall use information technology resources, including computers, software, and systems, that are issued or maintained by the City in a professional manner and in accordance with this policy.

## 201.3 PRIVACY EXPECTATION

Employees forfeit any expectation of privacy with regard to emails, texts, or anything published, shared, transmitted, or maintained through file-sharing software or any internet site that is accessed, transmitted, received, or reviewed on any city computer system.

The City reserves the right to access, audit, and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received, or reviewed over any technology that is issued or maintained by the City, including the city email system, computer network, and/or any information placed into storage on any city system or device. This includes records of all key strokes or web-browsing history made at any city computer or over any city network. The fact that access to a database, service, or website requires a username or password will not create an expectation of privacy if it is accessed through city computers, electronic devices, or networks.

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##### **201.4 RESTRICTED USE**

Employees shall not access computers, devices, software, or systems for which they have not received prior authorization or the required training. Employees shall immediately report unauthorized access or use of computers, devices, software, or systems by another employee to their supervisors.

Employees shall not use another person's access passwords, logon information, and other individual security data, protocols, and procedures unless directed to do so by a supervisor.

##### **201.4.1 SOFTWARE**

Employees shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes, in accordance with the software company's copyright and license agreement.

To reduce the risk of a computer virus or malicious software, employees shall not install any unlicensed or unauthorized software on any city computer. Employees shall not install personal copies of any software on any city computer.

No employee shall knowingly make, acquire, or use unauthorized copies of computer software that is not licensed to the City while on city premises, computer systems, or electronic devices. Such unauthorized use of software exposes the City and involved employees to severe civil and criminal penalties.

Introduction of software by employees should only occur as a part of the automated maintenance or update process of city-approved or installed programs by the original manufacturer, producer, or developer of the software. Any other introduction of software requires prior authorization from a supervisor and a full scan for malicious attachments.

##### **201.4.2 HARDWARE**

Access to technology resources provided by or through the City shall be strictly limited to city-related activities. Data stored on or available through city computer systems shall only be accessed by authorized employees who have a legitimate city-related purpose to access such data. Any exceptions to this policy must be approved by a supervisor.

##### **201.4.3 INTERNET USE**

Employees are expected to use technology responsibly and productively as necessary for their jobs. Internet access and e-mail use for job-related activities; however, minimal personal use is acceptable. Use of Roosevelt City computers, networks, and Internet access is a privilege granted by management and may be revoked at any time for inappropriate conduct including, but not limited to:

- Internet sites containing information that is not appropriate or applicable to city use.
- Shall not be intentionally accessed include but are not limited to adult forums, defamatory, discriminatory, harassing, pornography, gambling, chat rooms, and similar or related internet sites.

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- No messages with derogatory or inflammatory remarks about an individual's race, age, disability, religion, national origin, physical attributes, sexual preference, or any other protected class, may be transmitted. Harassment of any kind is prohibited.
- Disparaging, abusive, profane or offensive language and any illegal activities—including piracy, cracking, extortion, blackmail, copyright infringement and unauthorized access to any computers on the Internet or e-mail—are forbidden.
- Becoming involved in partisan politics
- Causing congestion, disruption, disablement, alteration, or impairment of Roosevelt City networks.
- Infringing in any way on the copyrights or trademark rights of others; Defeating or attempting to defeat security restrictions on Roosevelt City systems and applications.
- Every employee of the City is responsible for the content of all text, audio, video, or image files that he or she places or sends over the company's Internet and e-mail systems.
- Downloaded information from the internet shall be limited to messages, mail, and data files.
- Certain exceptions may be permitted with the express approval of a supervisor as a function of an employee's assignment.

#### **201.5 PROTECTION OF SYSTEMS AND FILES**

All employees have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care, and maintenance of the computer system.

Employees shall ensure city computers and access terminals are not viewable by unauthorized users. Computers and terminals should be secured, users logged off, and password protections enabled whenever the user is not present. Access passwords, logon information, and other individual security data, protocols, and procedures are confidential information and are not to be shared. Password length, format, structure, and content shall meet the prescribed standards required by the computer system or as directed by a supervisor and shall be changed at intervals as directed.

It is prohibited for an employee to allow an unauthorized user to access the computer system at any time or for any reason. Employees shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the internet) to a supervisor.

#### **201.6 INSPECTION AND REVIEW**

A supervisor or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any contents thereof, whether such inspection or review is in the ordinary course of supervisory duties or based on cause.

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Reasons for inspection or review may include but are not limited to computer system malfunctions, problems, or general computer system failure, a lawsuit against the City involving one of its employees or an employee's duties, an alleged or suspected violation of any city policy, a request for disclosure of data, or a need to perform or provide a service.

Qualified staff may extract, download, or otherwise obtain any and all temporary or permanent files residing or located in or on the city computer system when requested by a supervisor or during the course of regular duties that require such information.

#### **201.7 IT PURCHASING POLICY**

The intent behind this policy is to ensure standardization, as often as possible, for the purchase of IT equipment to include, Desktop computers, laptop computers, tablets, cell phones, cameras, or any device that connects to the Roosevelt City network, is paid for by Roosevelt City to assist employees in the course of their job with any electronic device.

#### **Workstation Computers**

Roosevelt City will provide a desktop or laptop computer to be used by employees who need such devices to perform their normal job functions. The Roosevelt City IT Department, in conjunction with Department Heads, will determine which type of device is suitable for each job description. Computers will come with needed items such as keyboards, mice, monitors, web cameras, etc. as deemed necessary by the IT department and Dept Head. Roosevelt City has a goal to replace workstations on a 3 year rotating cycle to ensure efficient machines and work stations for employees. This Policy is not a guarantee of replacement after 3 years, as budget constraints or other needs may arise that could delay replacement of a device.

#### **Cellular Phones**

This portion of the policy refers to all city issued cell phones, not to those who receive a stipend. The city will purchase 1 year old devices as we have negotiated with the provider for a better discount on these devices. Employees will be eligible for a new device after 2 years. All phone device upgrades must be approved by the department head and go through the City's IT department.

#### **Purchasing approvals**

All devices purchased that connect to Roosevelt City's network in any way must be approved by the IT Dept to ensure proper technical specifications are met and to ensure the best price is negotiated for said items. Please contact the Roosevelt City IT department if you are quoting items to ensure all technical specifications are met.

The Roosevelt City Manager may make any final decision or override the recommendation from the IT department or department head when a determination is being made for type of workstation(PC, Mac, or Linux), computer vs laptop vs tablet, number of monitors, etc.

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### **201.8 ROOSEVELT CITY COMPUTER, TABLET, AND CELL PHONE EMPLOYEE BUYOUT POLICY**

Roosevelt City follows standard depreciation schedules for computers and tablets utilized at the City. Roosevelt City generally prioritizes replacing outdated computers and tablets every 3 years to ensure maximum efficiency for employees. At the end of this 3 year life cycle, and upon approval from the City Manager, may purchase that laptop or tablet from the city. For City issued Cell Phones, they will follow a 2 year replacement cycle, from the date of purchase, not date of MFG issue. The employee will be able purchase their device that would otherwise be retired at the following price schedule:

Tablet - \$50

Cell Phone - \$50

PC Laptop - \$100

Apple Laptop - \$150

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## Local Government Use of Social Media

### 202.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that any use of social media on behalf of the City is consistent with the City mission.

This policy does not address all aspects of social media use. Specifically, it does not address:

- Personal use of social media by city employees (see the Speech, Expression, and Social Networking Policy).
- Use of social media in personnel processes (see the Recruitment and Selection Policy).
- Use of social media as part of an investigation, other than disseminating information to the public on behalf of this city.

#### 202.1.1 DEFINITIONS

Definitions related to this policy include:

**Social media** - Any of a wide array of internet-based tools and platforms that allow for the sharing of information, such as the city website or social networking services.

### 202.2 POLICY

The City will use social media as a method of effectively informing the public about city services, issues, investigations, recruitment, and other relevant events.

The use or access of social media should be done in a manner that protects the constitutional rights of all people.

### 202.3 AUTHORIZED USERS

Only employees authorized by the City Manager or the authorized designee may utilize social media on behalf of the City. Authorized employees shall use only city-approved equipment during the normal course of duties to post and monitor city-related social media, unless they are specifically authorized to do otherwise by their supervisors.

The City Manager may develop specific guidelines identifying the type of content that may be posted. Any content that does not strictly conform to the guidelines should be approved by a supervisor prior to posting.

Requests to post information over city social media by employees who are not authorized to post should be made through the appropriate supervisory channels.

### 202.4 AUTHORIZED CONTENT

Only content that is appropriate for public release, that supports the City mission, and that conforms to all city policies regarding the release of information may be posted. Examples of appropriate content include:

- (a) Announcements.

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- (b) Tips and information related to crime prevention.
- (c) Requests for information.
- (d) Community engagement information.
- (e) Real-time safety information that is related to in-progress crimes, geographical warnings, or disaster information.
- (f) Traffic information.
- (g) Media releases.
- (h) Recruitment of personnel.
- (i) Events.

#### 202.4.1 INCIDENT-SPECIFIC USE

In instances of active incidents where speed, accuracy, and frequent updates are paramount (e.g., crime alerts, public safety information, traffic issues), the City Manager or the authorized designee will be responsible for the compilation of information to be released.

#### **202.5 PROHIBITED CONTENT**

Content that is prohibited from posting includes but is not limited to:

- (a) Content that is abusive, discriminatory, inflammatory, or sexually explicit.
- (b) Any information that violates individual rights, including confidentiality and/or privacy rights and those provided under state, federal, or local laws.
- (c) Any information that could compromise an ongoing investigation.
- (d) Any information that could tend to compromise or damage the mission, function, reputation, or professionalism of the City or its employees.
- (e) Any information that could compromise the safety and security of city operations, employees of the City, or the public.
- (f) Any content posted for personal use.
- (g) Any content that has not been properly authorized by this policy or a supervisor.

Any employee who becomes aware of content on this city's social media sites that the employee believes is unauthorized or inappropriate should promptly report such content to a supervisor. The supervisor will ensure its removal from public view and investigate the cause of the entry.

#### 202.5.1 PUBLIC POSTING PROHIBITED

City social media sites shall be designed and maintained to prevent posting of content by the public.

The City may provide a method for members of the public to contact city employees directly.

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##### **202.6 MONITORING CONTENT**

The City Manager will appoint a supervisor to review, at least annually, the use of city social media and report back on, at a minimum, the resources being used, the effectiveness of the content, any unauthorized or inappropriate content, and the resolution of any issues.

##### **202.7 RETENTION OF RECORDS**

The City Manager should work with the City Recorder to establish a method of ensuring that public records generated in the process of social media use are retained in accordance with established records retention schedules. City departments and administrators must work with the City Recorder to ensure that records are properly retained.

##### **202.8 TRAINING**

Authorized employees and elected officials should receive training that, at a minimum, addresses legal issues concerning the appropriate use of social media sites, as well as privacy, civil rights, and dissemination and retention of information posted on city sites.

## Subpoenas and Court Appearances

### 203.1 PURPOSE AND SCOPE

This policy establishes the guidelines for city employees who must appear in court. It will allow the City to cover any related work absences and keep the City Manager informed about relevant legal matters.

### 203.2 POLICY

Employees will respond appropriately to all subpoenas and any other court-ordered appearances.

### 203.3 SUBPOENAS

Only employees authorized to receive a subpoena on behalf of the City or any of its employees may do so.

#### 203.3.1 SPECIAL NOTIFICATION REQUIREMENTS

Any employees who are subpoenaed to testify, agree to testify, or provide information on behalf or at the request of any party other than the City or the prosecutor shall notify their immediate supervisors without delay regarding:

- (a) Any civil case where the City or one of its employees, as a result of the employee's official capacity, is a party.
- (b) Any civil case where any other city, county, state, or federal unit of government or a member of any such unit of government, as a result of the member's official capacity, is a party.
- (c) Any criminal proceeding where the employee is called to testify or provide information on behalf of the defense.
- (d) Any civil action stemming from the employee's work activity or because of the employee's association with the City.
- (e) Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the City.

The supervisor will then notify the City Manager and the appropriate prosecuting attorney if applicable. The City Manager should determine if additional legal support is necessary.

No employee shall be retaliated against for testifying in any matter.

#### 203.3.2 WORK-RELATED SUBPOENAS

The City will compensate employees who appear in their official capacities on matters arising out of their official duties.

The City should seek reimbursement for the employee's compensation for appearances on civil subpoenas through the attorney of record who subpoenaed the employee.

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##### **203.3.3 OTHER SUBPOENAS**

Employees receiving valid subpoenas for actions unrelated to their employment or appointment with the City will not be compensated for their appearance. Arrangements for time off shall be coordinated through their immediate supervisors.

##### **203.4 FAILURE TO APPEAR**

Any employee who fails to comply with the terms of any properly served subpoena or court-ordered appearance may be subject to discipline. This includes properly served orders to appear that were issued by a state administrative agency.

##### **203.5 COURTROOM PROTOCOL**

When appearing in court, employees shall:

- (a) Be punctual and prepared to proceed immediately with the case for which they are scheduled to appear.
- (b) Dress and prepared to proceed immediately with the case for which they are scheduled to appear.
- (c) Observe all rules of the court in which they are appearing and remain alert to change in the assigned courtroom where their matter is to be heard.

##### **203.5.1 TESTIMONY**

Before the date of testifying, the subpoenaed employee should review relevant reports or documents in order to be prepared for court.

##### **203.5.2 RECORDS**

When an employee is directed by a subpoena to appear in court with records, that employee should notify the City Recorder promptly after receiving the subpoena that the specified records are needed for court.

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## ADA Compliance

### 204.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for equal access to local government services, programs, and activities for persons with disabilities in accordance with Title II of the Americans with Disabilities Act (ADA).

This policy also includes guidelines to provide effective communication with persons with disabilities and to protect the rights of individuals who use service animals in accordance with the ADA.

#### 204.1.1 DEFINITIONS

Definitions related to this policy include (28 CFR 35.104):

**ADA coordinator** - The employee designated by the City Manager to coordinate the City's efforts to comply with the ADA (28 CFR 35.107).

**Assistive devices, auxiliary aids, and services** - Tools used to communicate with people who have a disability or impairment. They include but are not limited to the use of gestures or visual aids to supplement oral communication; a notepad and pen or pencil to exchange written notes; a computer or typewriter; an assistive listening system or device to amplify sound; a teletypewriter (TTY) or videophones (video relay service or VRS); taped text; qualified readers; or a qualified interpreter.

**Disability or impairment** - A physical or mental impairment that substantially limits a major life activity, including hearing or seeing, regardless of whether the person uses assistive devices, auxiliary aids, and services. Individuals who wear ordinary eyeglasses or contact lenses are not considered to have a disability (42 USC § 12102; 28 CFR 35.108).

**Facility** - All aspects of buildings, structures, sites, complexes, equipment, rolling stock or other conveyances, roads, walkways, parking areas, and other real or personal property (28 CFR 35.108).

**Modification** - Any change, adjustment, alteration, adaptation, or accommodation that renders a city service, program, or activity suitable for use, enjoyment, or participation by a person with a disability. This may include alteration of existing buildings and facilities.

A modification includes any change or exception to a policy, practice, or procedure that allows a person with a disability to have equal access to programs, services, and activities. It also includes the provision or use of assistive devices, auxiliary aids, and services.

**Power-driven mobility device** - Any mobility device powered by batteries, fuel, or other engine type used by persons with disabilities for mobility assistance, regardless of whether the device was primarily designed for that purpose (e.g., golf carts, Segway® PT, mobility scooters). For purposes of this policy, it does not include wheelchairs.

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**Qualified interpreter** - A person who is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include oral interpreters, transliterators, sign language interpreters, and intermediary interpreters.

**Service animal** - A dog that is trained to do work or perform tasks for the benefit of a person with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability.

Service animal also includes a miniature horse if the horse is trained to do work or perform tasks for persons with disabilities, provided the horse is housebroken, is under the handler's control, the building or facility can accommodate the horse's type, size, and weight, and the horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility (28 CFR 35.136(i)).

#### **204.2 POLICY**

It is the policy of the City that persons with disabilities have equal access to city services, programs, and activities.

The City will not discriminate against or deny any individual access to services, programs, or activities based upon disabilities.

#### **204.3 AMERICANS WITH DISABILITIES ACT (ADA) COORDINATOR**

The responsibilities of the ADA coordinator include but are not limited to (28 CFR 35.130):

- (a) Coordinating efforts among each city agency to provide equal access to services, programs, and activities including:
  - 1. Establishing procedures to provide for the performance of routine maintenance on buildings, facilities, or equipment that provide access to persons with disabilities (28 CFR 35.133).
- (b) Recommending amendments to this policy, as needed.
- (c) Coordinating a process of periodic self-evaluation. The process should include:
  - 1. Inspection of current city buildings and facilities to identify access issues.
  - 2. Review of current city services, activities, and programs for access issues.
  - 3. Assessment and update of current compliance measures.
  - 4. Identification of recurring areas of complaint for which new methods of modification should be considered.
  - 5. Review of the city's emergency programs, services, and activities as they apply to persons with disabilities.
  - 6. Recommendation of a schedule to implement needed improvements.
- (d) Acting as a liaison with local disability advocacy groups or other disability groups regarding access to city services, programs, and activities.

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- (e) Developing procedures for the review and processing of requests for assistance or modifications that will help employees provide persons with disabilities access to city services, programs, and activities, as appropriate.
- (f) Providing notice to the public regarding the rights and protections afforded by the ADA (e.g., posters, published notices, handbooks, manuals, and pamphlets describing city services, programs, and activities and the availability of assistive devices, auxiliary aids, and services, as well as modifications) (28 CFR 35.106).
- (g) Developing procedures for employees to access assistive devices, auxiliary aids, and services, including qualified interpreters, and making the procedures available, as appropriate.
  - 1. A list of qualified interpreter services with contact and availability information should be maintained and easily accessible to employees.
- (h) Developing, implementing, and publishing appropriate procedures to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to services, programs, and activities (28 CFR 35.107). The complaint procedures should include an appeal process.
- (i) Requiring third parties providing city services, programs, or activities through contract, outsourcing, licensing, or other arrangement to establish reasonable policies and procedures to prevent discrimination against and denial of access to persons with disabilities.
- (j) Developing and implementing procedures to provide that new construction and any alteration to an existing building or facility are undertaken in compliance with the ADA (28 CFR 35.151).
- (k) Developing and implementing procedures to provide that new construction and alteration of city-maintained roadways, highways, and streets include curb ramps or other sloped areas to make pedestrian-level walkways accessible as required by law (28 CFR 35.150(d)(2); 28 CFR 35.151(i)).
- (l) Coordinating with appropriate city staff to address the needs of persons with disabilities in the City's emergency disaster preparedness planning, including consideration of shelters and care facilities, transportation, means of evacuation, communication methods (e.g., warning and emergency notification systems), and post-disaster canvassing.

#### **204.4 REQUESTS**

The goal of any modification should be to allow the person to participate in the service, program, or activity the same as a person who does not have a disability.

Upon receiving a request for a modification, employees should make reasonable efforts to accommodate the request based on the preference of the person with the disability. Employees should not ask about the nature and extent of a person's disability, but should limit questions to information necessary to determine the need for a modification and the type of modification that is appropriate.

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If the requested modification, or an alternative modification, can reasonably be made at the time of the request, the employee should make the modification. An employee who is unable to accommodate a request or unsure about whether a request should be accommodated, should contact a supervisor.

The supervisor should review and approve the request, if practicable and appropriate. Otherwise, the supervisor should document the requesting person's contact information and the modification being requested and forward the request to the ADA coordinator for processing as soon as reasonably practicable.

#### 204.4.1 DENIAL OF A REQUEST

The following should be considered before denying a request for modification:

- (a) Requests for modifications should be approved unless complying with the request would result in (28 CFR 35.150):
  1. A substantial alteration of the service, program, or activity.
  2. An undue financial or administrative burden on the City.
  3. All resources available for use in the funding and operation of the service, program, or activity at issue should be considered in this determination.
  4. A threat to or the destruction of the historic significance of an historic property.
  5. A direct threat to the health or safety of others (28 CFR 35.139).
- (b) If any of these circumstances are present, the ADA coordinator should work with agency staff and the person requesting the modification to determine if an alternative modification is available.
- (c) Where physical modification of an existing building or facility, or new construction, would be unfeasible or unduly burdensome, the ADA coordinator should work with agency staff to determine whether alternative modifications are available. Alternative methods that should be considered include (28 CFR 35.150):
  1. Reassigning services, programs, or activities to accessible buildings or facilities.
  2. Utilizing technology, equipment, rolling stock, or other conveyances.
  3. Delivering the services, programs, or activities directly to a person with a disability by way of home visits or meeting the person at an accessible location.
  4. Any other means or methods that would make services, programs, or activities readily accessible.
- (d) If no alternative modification is appropriate, the ADA coordinator shall issue a written statement explaining why a modification of the public service, program, or activity will not be made (28 CFR 35.150).

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##### 204.4.2 PERSONAL DEVICES AND ASSISTANCE

Although employees should make every effort to comply with requests, the provision of personal devices or assistance (e.g., wheelchairs, eyeglasses, hearing aids, personal assistance in eating or using the restroom) to persons with disabilities is not required (28 CFR 35.135).

##### 204.4.3 SURCHARGES

Surcharges shall not be imposed upon persons with disabilities to cover the costs of providing modifications to public services, programs, and activities (28 CFR 35.130(f)).

#### **204.5 MOBILITY DEVICES**

Wheelchairs and manually powered mobility devices such as walkers, crutches, canes, and braces are permitted in any areas open to pedestrians.

Power-driven mobility devices other than wheelchairs may be restricted only if a legitimate safety interest is identified that warrants the restriction (28 CFR 35.130(h); 28 CFR 35.137).

An employee should not ask a person using a power-driven mobility device to terminate the use of the device or leave the area unless an imminent and legitimate safety issue is present. If an employee is concerned about the use of a power-driven mobility device by a person with a disability, the employee should contact a supervisor.

The determination of whether a reasonable modification should be made for the use of a power-driven mobility device within a public building or facility should be based on whether the device, given its size and speed, can be safely used within the particular building or facility taking into account the layout and design of the building or facility, the amount of pedestrian traffic present in the building or facility, and whether there is any risk of damage to the building or facility or its immediate environment as set forth in 28 CFR 35.137.

##### 204.5.1 INQUIRIES REGARDING MOBILITY DEVICES

If an individual is using a power-driven mobility device other than a wheelchair, the employee may seek credible assurance from the individual that the device is needed because of a disability. Credible assurance of the device's necessity may be provided in one of the following ways (28 CFR 35.137):

- (a) Presentation of a valid, state-issued disability placard or card
- (b) Presentation of any other state-issued proof of disability
- (c) A verbal statement, not contradicted by observable fact, that use of the device is necessary for mobility purposes

#### **204.6 COMMUNICATIONS WITH PERSONS WITH DISABILITIES**

Employees should remain alert to the possibility of communication problems when engaging with persons with disabilities. When an employee knows or suspects an individual requires assistance to effectively communicate, the employee should identify the individual's choice of assistive device, auxiliary aid, and service.

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The individual's preferred communication method should be honored unless another effective method of communication exists under the circumstances (28 CFR 35.160).

Factors to consider when determining whether an alternative method is effective include:

- (a) The methods of communication usually used by the individual.
- (b) The nature, length, and complexity of the communication involved.
- (c) The context of the communication.

In emergency situations involving an imminent threat to the safety or welfare of any person, employees may use whatever assistive device, auxiliary aid and service reasonably appears effective under the circumstances. This may include, for example, exchanging written notes or using the services of a person who knows sign language but is not a qualified interpreter, even if the person who is deaf or hard of hearing would prefer a qualified sign language interpreter or another appropriate assistive device, auxiliary aid, and service. Once the emergency has ended, the continued method of communication should be reconsidered. The employee should inquire as to the individual's preference and give primary consideration to that preference.

#### 204.6.1 TYPES OF ASSISTANCE AVAILABLE

Employees shall not refuse an available type of assistive device, auxiliary aid, and service to a person with a disability who is requesting assistance. The City will not require persons with disabilities to furnish their own assistive device, auxiliary aid, and service as a condition for receiving assistance. The City will make every reasonable effort to provide equal access and timely assistance to persons with disabilities through a variety of assistive devices, auxiliary aids, and services.

Persons with disabilities may choose to accept city-provided assistive devices, auxiliary aids, and services, or they may choose to provide their own.

City-provided assistive devices, auxiliary aids, and services may include but are not limited to the assistance methods described in this policy.

#### 204.6.2 AUDIO RECORDINGS AND ENLARGED PRINT

The City may develop audio recordings to assist people who are blind or have a visual impairment with accessing important information. If such a recording is not available, employees may read aloud from the appropriate form or provide forms with enlarged print.

#### 204.6.3 QUALIFIED INTERPRETERS

A qualified interpreter may be needed in lengthy or complex interactions (e.g., public meetings or hearings, special or emergency meetings, plan reviews) for individuals who normally rely on sign language or speechreading (lip-reading) to understand what others are saying. The qualified interpreter should not be a person with an interest in the exchange. A person providing interpretation services may be required to establish the accuracy and trustworthiness of the interpretation in a local government or legal proceeding.

Qualified interpreters should be:

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- (a) Available within a reasonable amount of time.
- (b) Experienced in providing interpretation services.
- (c) Familiar with the use of VRS and/or video remote interpreting services.
- (d) Certified in either American Sign Language (ASL) or Signed English (SE).
- (e) Able to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.
- (f) Knowledgeable of the ethical issues involved when providing interpreter services.

Employees should use city-approved procedures to request a qualified interpreter at the earliest reasonable opportunity or when it is reasonably apparent that an interpreter is needed. Persons with disabilities shall not be required to provide their own interpreters (28 CFR 35.160).

#### 204.6.4 TTY AND RELAY SERVICES

The City will accept all TTY or TDD calls placed by those who are deaf or hard of hearing and received via a telecommunications relay service.

Note that relay services translate verbatim, so the conversation must be conducted as if speaking directly to the caller.

#### 204.6.5 COMMUNITY VOLUNTEERS

Interpreter services may be available from community volunteers who have demonstrated competence in communication services, such as ASL or SE, and have been approved by the City to provide interpreter services.

When qualified interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, city employees must carefully consider the nature of the interaction and the relationship between the person with the disability and the volunteer to be reasonably satisfied that the volunteer can provide neutral and unbiased assistance.

#### 204.6.6 FAMILY AND FRIENDS

While family or friends may offer to assist with interpretation, employees should carefully consider the circumstances before relying on such individuals. The nature of the interaction and relationship between the person with the disability and the person offering services must be carefully considered to determine whether the family member or friend can provide neutral and unbiased assistance.

Children shall not be relied upon except in emergency or critical situations when there is no qualified interpreter reasonably available.

Adults may be relied upon when (28 CFR 35.160):

- (a) There is an emergency or critical situation and there is no qualified interpreter reasonably available.

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- (b) The person with the disability requests that the adult interpret or facilitate communication and the adult agrees to provide such assistance, and reliance on that adult for such assistance is reasonable under the circumstances.

#### 204.6.7 FIELD ENFORCEMENT CONSIDERATIONS

It is important that employees are able to effectively communicate with persons with disabilities even though the location of the communication may hinder the employee's ability to provide assistive devices, auxiliary aids, and other services in a prompt manner.

Employees involved in interactions with persons with disabilities that occur in the field and that could result in any type of civil or criminal enforcement action (e.g., issuing code enforcement citations, shutting off a utility service) should assess each situation to determine if communication assistance is necessary. The length, complexity, and importance of the communication, as well as the individual's preferred method of communication, should be considered when determining what, if any, resources should be used and whether a qualified interpreter or other service is needed.

#### **204.7 SERVICE ANIMALS**

Service animals that are assisting persons with disabilities are permitted in all city buildings and facilities and other areas where the general public is allowed. City employees are expected to treat people with service animals with the same courtesy and respect that the City affords to all members of the public (28 CFR 35.136).

##### 204.7.1 IDENTIFICATION AND USE OF SERVICE ANIMALS

Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness, or collar.

Service animals may be used in a number of ways to provide assistance, including:

- (a) Guiding people who are blind or have low vision.
- (b) Alerting people who are blind or have low vision.
- (c) Retrieving or picking up items, opening doors, or flipping switches for people who have limited use of their hands, arms, or legs.
- (d) Pulling wheelchairs.
- (e) Providing physical support and assisting with stability and balance.
- (f) Doing work or performing tasks for people with traumatic brain injury, intellectual disabilities, or psychiatric disabilities, such as reminding a person with depression to take medication.
- (g) Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or follow daily routines.

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##### **204.7.2 INQUIRIES REGARDING SERVICE ANIMALS**

If it is apparent or if an employee is aware that an animal is a service animal, the individual generally should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the employee should ask the individual only the following questions (28 CFR 35.136(f)):

- (a) Is the animal required because of a disability?
- (b) What task or service has the service animal been trained to perform?

If the individual explains that the animal is required because of a disability and has been trained to work or perform at least one task, the animal meets the definition of a service animal and no further questions as to the animal's status should be asked. Employees should not question individuals about their disabilities nor should employees ask any individual to provide a license, certification, or identification card for a service animal.

##### **204.7.3 CONTACT WITH SERVICE ANIMALS**

Service animals are not pets. City employees should not interfere with the important work performed by a service animal by talking to, petting, or otherwise initiating contact with a service animal.

##### **204.7.4 REMOVAL OF SERVICE ANIMALS**

If a service animal is not housebroken or exhibits vicious behavior, poses a direct threat to the health of others, or unreasonably disrupts or interferes with normal business operations, an employee should notify an appropriate supervisor who may direct the handler to remove the animal from the premises. Barking alone is not a threat nor does a direct threat exist if the person takes prompt, effective action to control the service animal (28 CFR 35.136(b)).

Each incident must be considered individually, and past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse access to services, programs, or activities to a person with a disability. Employees are expected to provide all services that are reasonably available to a person with a disability, with or without a service animal.

##### **204.8 WEBSITE ACCESS**

The ADA coordinator should work with appropriate city employees to develop online content that is readily accessible to persons with disabilities. City web content should be developed in conformance with the most current guidelines issued by the U.S. Department of Justice.

Website content should also be made available to persons with disabilities in an alternative format upon request, if reasonably practicable.

##### **204.9 DOCUMENTATION**

Whenever any modification, assistive device, auxiliary aid, and service has been provided, the employee involved should document:

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- (a) The type of modification, aid, or service provided.
- (b) Whether the individual elected to use an assistive device, auxiliary aid, and service provided by the City or some other identified source, if applicable.
- (c) Whether the individual's express preference for the modification, assistive device, auxiliary aid, and service was not honored, and the reason why an alternative method was used.

The documentation and any written communications exchanged should be maintained consistent with the Records Maintenance and Release Policy.

#### **204.10 COMPLAINTS**

An employee who receives a complaint or becomes aware of potential disability discrimination, an ADA violation, or a person's inability to access a city program, service, or activity should document the complaint and refer the matter to the ADA coordinator (28 CFR 35.107).

#### **204.11 TRAINING**

Employees who may have contact with persons with disabilities should receive periodic training on ADA compliance, to include:

- (a) Awareness and understanding of this policy and related procedures, related forms, and available resources.
- (b) Procedures for handling requests for modifications.
- (c) Accessing assistive devices, auxiliary aids, and services needed to communicate with persons with disabilities.
- (d) General requirements of the ADA, including modifying policies and practices, communicating with, and assisting customers, accepting calls placed through alternative systems, and identifying alternate ways to provide access to programs, services, and activities as appropriate to the employee's job duties.

Training records should be maintained in each employee's personnel file in accordance with the established records retention schedule.

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# Emergency Management Plan

## **205.1 PURPOSE AND SCOPE**

This policy addresses the preparation, maintenance, and activation of the city's emergency management plan.

## **205.2 POLICY**

The City will prepare for large-scale emergencies within and outside its jurisdiction through planning, mutual cooperation with other agencies, and maintenance of an emergency management plan.

## **205.3 CITY RESPONSIBILITIES**

The City Manager should designate a person responsible for the city's emergency management plan and the coordination with applicable local and state departments and entities for disaster planning, mitigation, response, and recovery efforts.

## **205.4 ACTIVATING THE EMERGENCY MANAGEMENT PLAN**

The emergency management plan should include direction on how to activate the emergency management plan and who can activate it in response to a major emergency.

### **205.4.1 RECALL OF PERSONNEL**

In the event that the emergency management plan is activated, all employees of the City are subject to immediate recall to service. Employees may also be subject to recall during extraordinary circumstances as deemed necessary.

Failure to promptly respond to an order to report to work may result in discipline.

## **205.5 LOCATION OF THE EMERGENCY MANAGEMENT PLAN**

Copies of the emergency management plan should be available to appropriate personnel. All supervisors should familiarize themselves with the emergency management plan and assist employees in familiarizing themselves with the roles they will play when the plan is implemented.

## **205.6 EMERGENCY MANAGEMENT PLAN REVIEW**

The City Manager or the authorized designee should review the emergency management plan at least once every two years and ensure that the plan conforms to any revisions made by the National Incident Management System (NIMS). The City Manager or the authorized designee should appropriately address any needed revisions.

## **205.7 TRAINING**

The City should provide training on the emergency management plan for appropriate personnel. Training should incorporate a full or partial exercise or a tabletop or command discussion

## Volunteers

### 206.1 PURPOSE AND SCOPE

This policy establishes the guidelines for volunteers to supplement and assist city personnel in their duties. Trained volunteers can augment city personnel and help complete various tasks.

#### 206.1.1 DEFINITIONS

Definitions related to this policy include:

**Volunteer** - An individual who performs a service for the City without promise, expectation, or receipt of compensation for services rendered. This may include interns, persons providing administrative support, and individuals participating in school-sponsored, educational, or diversion programs, among others. Volunteers may be youths or adults.

### 206.2 POLICY

It is the policy of the City that volunteers be appointed, trained, and supervised to carry out specified tasks and duties in an effort to create an efficient local government and improve services to the community.

### 206.3 ELIGIBILITY

Requirements for participation as a volunteer for the City may include but are not limited to:

- (a) The ability to meet any necessary age requirements.
- (b) Possession of a valid driver's license, if the position requires vehicle operation.
- (c) Possession of liability insurance for any personally owned equipment, vehicles, or animals utilized during volunteer work.
- (d) No conviction of a felony, any crime of a sexual nature or against children, any crime related to assault or violence, any crime related to dishonesty, or any crime that would be inconsistent with volunteer service with the City.
- (e) The ability to meet physical requirements reasonably appropriate to the assignment.
- (f) A personal background history and character suitable for a person representing the City, as validated by a background investigation, as appropriate.

The City Manager may allow exceptions to these eligibility requirements based on organizational needs and the qualifications of the individual.

#### 206.3.1 MINORS

Volunteers younger than age 14 must be accompanied by a parent or legal guardian during the performance of their volunteer assignments. Volunteers between the ages of 14 and 18 must have the written consent of a parent or guardian prior to volunteering.

### 206.4 RECRUITMENT, SELECTION, AND APPOINTMENT

The City shall endeavor to recruit and appoint only those applicants who meet the high ethical, moral, and professional standards set forth by this city.

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##### 206.4.1 RECRUITMENT

Volunteers should be recruited on a continuous and ongoing basis consistent with city policy on equal opportunity, nondiscriminatory employment. A primary qualification for participation in the application process should be an interest in and an ability to assist the City in serving the public.

Requests for volunteers should be submitted in writing by interested city employees to the volunteer coordinator through the requester's immediate supervisor. A complete description of the volunteer's duties and a requested time frame should be included in the request. All city employees should understand that the recruitment of volunteers is enhanced by creative and interesting assignments. The volunteer coordinator may withhold assignment of any volunteer until such time as the requester is prepared to make effective use of volunteer resources.

##### 206.4.2 SELECTION

Volunteer candidates shall successfully complete the following process prior to appointment as a volunteer:

- (a) Submit the appropriate written application.
- (b) Interview with the volunteer coordinator.
- (c) Successfully complete an appropriate-level background investigation or screening.

See attached: [Volunteer Application Roosevelt City 2020](#)

##### 206.4.3 APPOINTMENT

Service as a volunteer with the City shall begin with an official notice of acceptance or appointment by the City Manager or the authorized designee. Notice may only be given by an authorized representative of the City, who will normally be the volunteer coordinator.

No volunteer should begin any assignment until officially accepted for the position and all required screening and paperwork has been completed. At the time of final acceptance, each volunteer should complete all required enrollment paperwork and will receive a copy of the position description and agreement of service with the City.

All volunteers shall receive a copy of applicable volunteer orientation materials and shall be required to sign a volunteer agreement. Volunteers should be placed only in assignments or programs that are consistent with their knowledge, skills, and abilities and the needs of the City.

Volunteers serve at the discretion of the City Manager.

#### **206.5 IDENTIFICATION AND DRESS CODE**

As representatives of the City, volunteers are responsible for presenting a professional image to the community. Volunteers shall dress appropriately for the conditions and performance of their assignment.

Uniforms and necessary safety equipment will be provided for each volunteer, if appropriate for the volunteer position. Identification symbols worn by volunteers shall be different and distinct from those worn by city employees through the inclusion of "Volunteer" on the uniform.

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Certain volunteers may be issued city identification cards to be carried at all times while in the performance of their assignment. The identification cards may be the standard city identification cards, except that "Volunteer" will be indicated on the cards.

#### **206.6 PERSONNEL WORKING AS VOLUNTEERS**

Qualified regular city personnel, when authorized, may also serve as volunteers. However, this city shall not utilize the services of volunteers in such a way that it would violate employment laws or employment agreements. Therefore, the volunteer coordinator should consult with the City Manager or the authorized designee prior to allowing regular city personnel to serve in a volunteer capacity (29 CFR § 553.100 et seq.).

#### **206.7 VOLUNTEER COORDINATOR**

The volunteer coordinator should be appointed by the City Manager or the authorized designee.

The function of the coordinator is to provide a central coordinating point for effective volunteer management within the City, and to direct and assist efforts to jointly provide more productive volunteer services. Volunteers serve under the general direction of the supervisor in charge of the volunteer's assignment but report to the volunteer coordinator.

The volunteer coordinator may appoint a senior volunteer or other designee to assist in the coordination of volunteers and their activities.

The responsibilities of the coordinator or the authorized designee include but are not limited to:

- (a) Recruiting, selecting, and training qualified volunteers.
- (b) Conducting volunteer meetings, as appropriate.
- (c) Establishing and maintaining a volunteer callout roster, as necessary.
- (d) Maintaining records for each volunteer.
- (e) Tracking and evaluating the contribution of volunteers.
- (f) Maintaining a record of volunteer schedules.
- (g) Completing and disseminating, as appropriate, all necessary paperwork and information.
- (h) Planning periodic recognition events.
- (i) Maintaining a liaison with other community programs that use volunteers and assisting in community-wide efforts to recognize and promote volunteering.
- (j) Maintaining volunteer orientation and training materials and outlining expectations, policies, and responsibilities for all volunteers.

An evaluation of the overall use of volunteers will be conducted on an annual basis by the coordinator.

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#### **206.8 RESPONSIBILITIES**

Volunteers assist city personnel as needed. Volunteers may be assigned to one agency to augment the support of paid personnel, but they may be reassigned as needed. Volunteers should be placed only in assignments or programs that are consistent with their knowledge, skills, and abilities and the needs of the City.

##### 206.8.1 COMPLIANCE

Volunteers shall be required to adhere to all city policies and procedures. A copy of the policies and procedures will be made available to each volunteer upon appointment. The volunteer shall become thoroughly familiar with these policies.

Whenever a rule, regulation, or guideline in this Policy Manual refers to city employees, it shall also apply to a volunteer, unless by its nature it is inapplicable.

Volunteers are required to meet city-approved training requirements as applicable to their assignments.

##### 206.8.2 VOLUNTEER MEETINGS

All volunteers are required to attend scheduled meetings. Any absences must be satisfactorily explained to the volunteer coordinator.

#### **206.9 TASK-SPECIFIC TRAINING**

Task-specific training is intended to provide the required instruction and practice for volunteers to properly and safely perform their assignments. Training should correspond to the volunteer's assignment as determined by the volunteer coordinator.

Volunteers will be provided with an orientation program to acquaint them with the policies of the City and procedures applicable to their assignments.

Volunteers should receive position-specific training to ensure they have adequate knowledge and skills to complete the required tasks, and should receive ongoing training as deemed appropriate by their supervisors or the volunteer coordinator.

Training should reinforce to volunteers that they shall not intentionally represent themselves as, or by omission imply that they are, full-time employees of the City. They shall always represent themselves as volunteers.

All volunteers shall comply with the standards of conduct and with all applicable orders and directives, either oral or written, issued by the City.

##### 206.9.1 VOLUNTEER TRAINING MATERIALS

Volunteers will be issued training materials when necessary, based upon the volunteer assignment. The materials should outline the subject matter and skills necessary to properly function as a volunteer with the City. The volunteer shall become knowledgeable of the subject matter and proficient with the skills as set forth in the training materials.

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#### **206.10 SUPERVISION**

Each volunteer must have a clearly identified supervisor who is responsible for direct management of that volunteer. This supervisor will be responsible for day-to-day management and guidance of the work of the volunteer and should be available to the volunteer for consultation and assistance.

Functional supervision of volunteers is the responsibility of the supervisor in charge of the volunteer's assignment. The following are some considerations that supervisors should keep in mind while supervising volunteers:

- (a) Take the time to introduce volunteers to employees on all levels.
- (b) Ensure volunteers have work space and necessary office supplies.
- (c) Make sure the work is challenging. Do not hesitate to give volunteers an assignment or task that will utilize these valuable resources.

A volunteer may be assigned as a supervisor of other volunteers, provided that the supervising volunteer is under the direct supervision of an employee.

#### **206.10.1 EVALUATIONS**

A volunteer will be considered a trainee until training has been satisfactorily completed. Volunteers who have completed their training should be evaluated annually using performance dimensions applicable to the assignment and authorities granted to that volunteer.

#### **206.10.2 FITNESS FOR DUTY**

No volunteer shall report for work or be at work when the volunteer's judgment or physical condition has been impaired due to illness or injury, or by the use of alcohol or drugs, whether legal or illegal.

Volunteers shall report to their supervisors any change in status that may affect their ability to fulfill their assignments.

#### **206.11 INFORMATION ACCESS**

With appropriate security clearance, a volunteer may have access to or be in the vicinity of confidential or protected information, including but not limited to legal materials, financial data, or information portals. Unless otherwise directed by a supervisor, the responsibilities of the position, or policy, all such information shall be considered confidential. Only that information specifically identified and approved by authorized employees shall be released. Confidential information shall be given only to persons who have a need and a right to know as determined by city policy and supervisory personnel.

A volunteer whose assignment requires the use of, or access to, confidential or protected information will be required to obtain the necessary security clearance, which may include a criminal background check and/or the submission of fingerprints to the appropriate state agency. Volunteers working this type of assignment will receive training in data practices and be required to sign a nondisclosure agreement before being given an assignment with the City. Subsequent unauthorized disclosure of any confidential information verbally, in writing, or by any other means by the volunteer is grounds for immediate dismissal and possible criminal prosecution.

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Volunteers shall not address public gatherings, appear on radio or television, prepare any article for publication, act as correspondents to newspapers or other periodicals, release or divulge any information concerning the activities of the City, or maintain that they represent the City in such matters without permission from the proper city personnel.

#### 206.11.1 RADIO USAGE

Any volunteer who operates city radios while acting in the capacity of a volunteer should receive appropriate training on radio usage.

#### **206.12 EQUIPMENT**

Any property or equipment issued by the City shall be for official and authorized use only. Any property or equipment issued to a volunteer shall remain the property of the City and shall be returned at the termination of service.

#### 206.12.1 VEHICLE USE

Any volunteer who operates any vehicle while acting in the capacity of a volunteer shall receive training in safe driving. The specific training and course of study shall be determined by the volunteer coordinator and supervisor in charge of the volunteer's assignment.

Volunteers whose assignments require the use of a vehicle must first complete:

- (a) A driving safety briefing and, if necessary to the volunteer position, a city-approved driver safety course.
- (b) Verification that the volunteer possesses a valid driver's license.
- (c) Verification that the volunteer carries current vehicle insurance.

The volunteer coordinator should ensure that all volunteers receive safety briefing updates and license and insurance verification at least once a year.

When operating city vehicles, volunteers shall obey all rules of the road, including seat belt requirements.

Volunteers should not operate marked law enforcement or other emergency operation vehicles unless there is a prominently placed sign indicating that the vehicle is out of service.

Volunteers are not authorized to operate city vehicles while using the vehicle's emergency equipment (e.g., emergency lights, siren).

#### **206.13 DISCIPLINARY PROCEDURES/TERMINATION**

If a volunteer becomes the subject of a complaint or administrative investigation, the matter may be investigated in accordance with city procedures applicable to regular employees.

Volunteers are considered at-will and may be removed from service at the discretion of the City Manager or the authorized designee, with or without cause. Volunteers shall have no property interest in their continued appointments or due process interest in an administrative investigation. However, if removed for alleged misconduct, the volunteer will be afforded an opportunity solely

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to clear the volunteer's name through a liberty interest hearing, which shall be limited to a single appearance before the City Manager or the authorized designee.

Volunteers may resign from volunteer service with the City at any time. It is requested that volunteers who intend to resign provide advance notice and a reason for their decision.

#### 206.13.1 EXIT INTERVIEWS

The volunteer coordinator should conduct exit interviews, where possible. These interviews should ascertain why the volunteer is leaving the position and should solicit the volunteer's suggestions on improving the position. When appropriate, an exit interview should also include a discussion on the possibility of involvement in some other capacity with the City.

## **Chapter 3 - Facilities**

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## Key and Electronic Access Device Controls

### 300.1 PURPOSE AND SCOPE

The control and accountability of keys is important to maintain a safe and secure environment for employees and members of the public.

#### 300.1.1 DEFINITIONS

Definitions related to this policy include:

**Key** - All electronic or mechanical devices used to access or exit city buildings and facilities. It includes proximity cards, key fobs, and other electronic access devices.

### 300.2 POLICY

It is the policy of the City that all keys used to access local government buildings and facilities are inventoried and controlled.

### 300.3 KEY IDENTIFICATION

All keys that open any doors or locks to city buildings or facilities should be marked with unique identification codes that will allow for quick inventory. Keys that are bundled together as a set should be numbered or coded with a tag to identify that set and the number of keys on the ring. The identifying numbers or codes on keys should not correspond to numbers/codes on locks.

A separate secure document identifying all keys will be maintained by the City Manager or the authorized designee.

### 300.4 KEY CONTROL

Keys may be issued to employees or accessed and checked out by authorized employees from secure designated areas. Keys issued to or accessed and checked out by employees shall be limited to only those keys necessary for the employee's position.

Employees have a duty to prevent unauthorized use of and shall not loan a key or key set to another person. All keys must be issued or checked out through the control process. Employees shall not possess any key for which they have not been authorized.

All keys issued or checked out to employees remain the property of the City. Employees shall not duplicate, mark, alter, or manufacture any key without written authorization from the City Manager or the authorized designee.

The City Manager or the authorized designee should regularly inventory all city keys.

See attached: [Employee Key Sign Out Form](#)

### 300.5 LOCK POLICY

All city buildings and facilities should be kept locked during non-operating hours. Employees shall not leave public entrances to city buildings and facilities unlocked or propped open during non-

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operating hours. Employees should never leave non-public entrances to city buildings and facilities unlocked or propped open.

#### **300.6 TESTING**

The City Manager or the authorized designee should periodically test locks to doors and gates for proper function and document the testing.

#### **300.7 EMERGENCY KEY SET**

At least one key set containing every key for city buildings and facilities should be kept separate from all of the other key sets in a secure location and made accessible only to the City Manager or the authorized designee in the event of an emergency.

#### **300.8 MISSING KEYS**

Any employee who discovers that a key or key set is missing shall report it to a supervisor as soon as reasonably practicable. If a reasonable effort to locate the key fails, the supervisor shall notify the City Manager or the authorized designee regarding the loss of the key, when it was discovered, and the circumstances involved.

The City Manager or the authorized designee will determine whether to re-key any locks that may have been compromised, and whether this should be done immediately.

#### **300.9 DAMAGED KEYS OR LOCKS**

Malfunctioning or damaged keys or locks shall be promptly reported to a supervisor. No part of a broken key should be left in the lock. All portions of the damaged key must be turned in to a supervisor, who will provide a replacement key as needed. Damaged locks should be replaced or repaired as soon as practicable. Appropriate security measures should be taken until such time as the lock is properly restored.

#### **300.10 KEY CONTROL RECORDS**

The City Manager or the authorized designee will maintain documentation for the accounting and security of all keys and key sets. Key control measures should be documented by the designated employee and the records retained in accordance with established records retention schedule.

# Public Safety Video Surveillance System

## 301.1 PURPOSE AND SCOPE

This policy provides guidance for the placement and monitoring of city public safety video surveillance, as well as the storage and release of the captured images.

## 301.2 POLICY

The City operates a public safety video surveillance system to enhance public safety and security in public areas. Cameras may be placed in strategic locations to help safeguard against potential threats to the public, to help manage emergency response situations during natural and man-made disasters, and to assist city officials in providing services to the community.

Video surveillance in public areas will be conducted in a legal and ethical manner while recognizing and protecting constitutional standards of privacy.

## 301.3 OPERATIONAL GUIDELINES

Only city-approved video surveillance equipment shall be utilized. Employees authorized to monitor video surveillance equipment should only monitor public areas and public activities where no reasonable expectation of privacy exists. The City Manager or the authorized designee shall approve all proposed locations for the use of video surveillance technology and should consult with and be guided by legal counsel as necessary in making such determinations.

### 301.3.1 PLACEMENT AND MONITORING

Camera placement will be guided by the underlying purpose or strategy associated with the overall video surveillance plan. The City Manager or the authorized designee may confer with any appropriate city agency and/or designated community groups when evaluating camera placement. Environmental factors, including lighting, location of buildings, and presence of vegetation or other obstructions, should also be evaluated when determining placement.

Cameras may record video images and sound. Examples of acceptable uses of the public safety video surveillance system include but are not limited to the following purposes:

- (a) To prevent, deter, and identify criminal activity.
- (b) To respond to critical incidents.
- (c) To augment resources in a cost-effective manner.
- (d) To monitor pedestrian and vehicle traffic activity.

Images from each camera should be recorded in a manner consistent with the underlying purpose of the particular camera. When activity warranting further investigation is reported or detected at any camera location, the available information should be preserved and the appropriate agency should be notified in a timely manner.

The City Manager or the authorized designee may authorize video feeds from the public safety video surveillance system to be forwarded to a specified location for monitoring by

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law enforcement, government agencies, road or traffic crews, or fire or emergency operations personnel.

Unauthorized recording, viewing, reproduction, dissemination, or retention of anything documented by public safety surveillance equipment is prohibited.

#### 301.3.2 INSTALLATION APPROVAL

Placement at City facilities or buildings, such as City Hall, other City properties, public parks, open space areas, public streets, or other public locations, requires approval by the Roosevelt City Manager.

The City designee is responsible for reviewing request(s) for installation and/or placement of security cameras, developing a recommendation on the request(s), and forwarding that recommendation to the Roosevelt City Manager for approval.

When seeking approval, Department Heads will address the following issues and concerns in supporting their request:

- (a) Objectives for implementing the system.
- (b) Use of equipment, including:
  - 1. Location of cameras.
  - 2. Location of equipment.
  - 3. Personnel authorized operate the system.
  - 4. Times when monitoring will be in effect (and staffed, if applicable).
- (c) Other deterrence or detection measures that were considered, and why video monitoring is the best solution.
- (d) Any specific, verifiable reports of incidents of crime or significant safety concerns that have occurred in the location to be placed under video monitoring.
- (e) Possible effects of the proposed video monitoring system on personal privacy, if any, and how they will be mitigated.
- (f) Appropriate consultation with stakeholders, including the public or reasons why this is not necessary.
- (g) Signage strategy advising the public that video monitoring is occurring.
- (h) Approach to installing and maintaining the system.
- (i) Fiscal impact and availability of funding.

#### 301.3.3 CAMERA MARKINGS

All public areas monitored by public safety surveillance equipment should be marked in a conspicuous manner with appropriate signs to inform the public that the area is under surveillance by the City. Signs should be well lit, placed appropriately, and without obstruction to ensure visibility.

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##### 301.3.4 INTEGRATION WITH OTHER TECHNOLOGY

The City may elect to integrate its public safety video surveillance system with other technology to enhance available information. Integration with video-based analytical systems may be considered based upon availability and the nature of the surveillance strategy.

The City should evaluate the availability and propriety of networking or otherwise collaborating with appropriate private sector entities and should evaluate whether the use of certain camera systems requires additional safeguards.

##### **301.4 VIDEO SUPERVISION**

Supervisors should monitor video surveillance access and usage to ensure employees follow city policy and applicable laws. Supervisors should ensure such use and access is appropriately documented.

###### 301.4.1 VIDEO LOG

A log should be maintained at all locations where video surveillance monitors are located. The log should be used to document all persons not assigned to the monitoring locations who have been given access to view or monitor images provided by the video surveillance cameras. The logs should, at a minimum, record the:

- (a) Date and time access was given.
- (b) Name and agency of the person being given access to the images.
- (c) Name of the person authorizing access.
- (d) Identifiable portion of images viewed.

###### 301.4.2 PROHIBITED ACTIVITY

Public safety video surveillance systems will not intentionally be used to invade the privacy of individuals or observe areas where a reasonable expectation of privacy exists.

Public safety video surveillance equipment shall not be used in an unequal or discriminatory manner and shall not target individuals or groups based solely on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.

Video surveillance equipment shall not be used to harass, intimidate, or discriminate against any individual or group.

##### **301.5 STORAGE AND RETENTION OF MEDIA**

All downloaded media shall be stored in a secure area with access restricted to authorized persons. All actions taken with respect to preservation or retention of media shall be appropriately documented.

The type of video surveillance technology employed and the manner in which recordings are used and stored will affect retention periods. The recordings should be stored and retained in accordance with this policy and the established records retention schedule.

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##### **301.5.1 EVIDENTIARY INTEGRITY**

Any recording that has been identified as evidence, or that could be relevant to pending or reasonably anticipated investigations or legal action, shall be preserved in a manner that retains its original content.

##### **301.6 RELEASE OF VIDEO IMAGES**

All recorded video images gathered by the public safety video surveillance equipment are for the official use of the City.

Requests for recorded video images from the public or the media shall be processed in the same manner as requests for public records.

Requests for recorded images from other government entities shall be referred to the City Manager.

Recorded video images that are the subject of a court order or subpoena shall be processed in accordance with the established city subpoena process.

##### **301.7 VIDEO SURVEILLANCE AUDIT**

The City Manager or the authorized designee will conduct an annual review of the public safety video surveillance system. The review should include an analysis of the cost, benefit, and effectiveness of the system, including any public safety issues that were effectively addressed and any systemic operational or administrative issues that were identified, including those related to training, discipline, or policy.

The results of each review shall be appropriately documented and maintained by the City Manager or the authorized designee and other applicable advisory bodies. Any recommendations for training or policy should be promptly addressed.

##### **301.8 TRAINING**

All city employees authorized to operate or access public safety video surveillance systems should receive appropriate training. Training should include guidance on the use of cameras and a review of relevant policies and procedures. Training should also address state and federal law related to the use of video surveillance equipment and privacy.

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## Use of Public Facilities

### 302.1 PURPOSE AND SCOPE

This policy provides guidance regarding the permitting process for the use of city facilities by members of the public.

This policy does not apply to spontaneous expressive activities such as demonstrations or to expressive activities of groups of fewer than 50 people. Nor does it apply to other gatherings of fewer than 50 persons when the agency head has developed appropriate nondiscriminatory application or request processes for the use of city facilities under the control of the agency head.

#### 302.1.1 DEFINITIONS

Definitions related to this policy include:

**Applicant** - Any individual, group, or organization seeking approval to use city facilities.

**Facilities** - Any buildings, rooms, structures, sites, complexes, parks, roads, walkways, parking areas, equipment, and other real or personal property owned or leased by the city that are made available for use by the general public.

### 302.2 POLICY

It is the policy of the City to make certain facilities available for public use in a fair and equitable manner based on an established application and permitting process.

### 302.3 PERMIT PROCESS

The City Manager or the authorized designee should develop, implement, and maintain a permitting process for the use of city facilities. The process should include:

- (a) A standardized application and reservation system.
- (b) An application submittal period and review process.
- (c) A method of communicating confirmations and denials of applications, as well as an appeals process for denials.
- (d) Permit forms for facility use.
- (e) A fee schedule for facility use and for payment of deposits, balances due, and refunds.
- (f) A nondiscriminatory process for establishing how much liability insurance will be required from applicants.
- (g) A process for making changes to existing reservations and for cancellations.
- (h) The designation of city employees responsible for enforcing permit terms.
- (i) Rules and regulations for facility use (e.g., cleaning, smoking/vaping, alcohol use, food and beverage sales or service, insurance coverage).
- (j) A process for determining when free speech expression areas will be necessary and a process for designation and monitoring of such areas, when used.

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The City Manager should also adopt and maintain city requirements related to facility use permits, including duration of use, traffic control, and noise limitations.

See attached:

- [Swimming Pool Permit](#)
- [Park Permit](#)

#### 302.3.1 APPLICATION REVIEW

- (a) The following should be considered when determining whether to grant or deny an application for facility use:
1. The application should be complete and not contain false or misleading information.
  2. The activity or event should not pose unreasonable health or safety risks.
  3. Appropriate ancillary facilities such as parking and sanitary facilities should be available and adequate for the activity or event.
  4. The activity or event should not pose an unreasonable risk of damage to city facilities.
  5. An application should be denied if the applicant has damaged city facilities in the past and has failed to pay for the damages.
  6. Adequate supervision and security personnel for the activity or event should be provided by the applicant.
- (b) When determining whether to grant or deny an application for facility use, the City shall not consider an applicant's:
1. Actual or perceived classification or status protected by law, such as religion, race, or gender identity or expression.
  2. Political, social, or ideological beliefs.
  3. Viewpoint, message, or program content and any anticipated response.

#### 302.3.2 PERMIT TERMS

Permits should contain the applicant's agreement to:

- (a) Return the facilities to their original condition and assume responsibility for any damage or loss sustained.
- (b) Comply with all federal, state, and local laws, regulations, and ordinances, as well as all permit requirements and conditions imposed by the City.
- (c) Refrain from promoting, permitting, or engaging in illegal activity.
- (d) Obtain a general liability insurance policy in the amount required naming the City as an additional insured and identifying the policy as primary to the city's insurance coverage.

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#### *Use of Public Facilities*

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- (e) Make it clear to the public that the activity or event is the applicant's and that any message is not endorsed or made by the City.

Permits should also contain notice to the permittee that failure to comply with permit terms may result in enforcement action and denial of future applications.

#### **302.4 DISTURBANCES OR CRIMINAL ACTIVITY**

Non-law enforcement employees should not attempt to physically control a person or group that is creating a disturbance or engaging in criminal activity on city property during a permitted activity or event. Such instances, as well as unapproved demonstrations or acts of civil disobedience, should be reported to law enforcement for handling.

#### **302.5 RECORDS**

All records created and submitted during and related to the permitting process should be maintained in accordance with the established records retention schedule.

##### 302.5.1 SUBSECTION TITLE

## Holiday Displays

### 303.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance on holiday displays by the City.

The use of city facilities by members of the public or private groups is addressed in the Use of Public Facilities Policy.

Memorials on city property are addressed in the Memorials on Public Property Policy.

### 303.2 POLICY

It is the policy of the City that city seasonal temporary holiday displays be appropriate and lawful.

### 303.3 RESPONSIBILITIES

The City Manager or authorized designee should review and approve each city holiday display.

The City Manager or authorized designee's review should be completed prior to installation of the display and should include a review of the following:

- (a) The location of the display, including the types of structures and properties immediately adjacent to the display.
- (b) The manner and format in which the different secular and non-secular decorations will be displayed.
- (c) Whether the display complies with the criteria set forth in this policy.

If the City Manager or authorized designee has any concerns regarding the content of the display, counsel should be consulted prior to proceeding.

### 303.4 REVIEW CRITERIA

A city holiday display should not have an overall effect of supporting or endorsing a religion or denigrating or inhibiting any religion or religious belief. When reviewing a proposed display, the City Manager or authorized designee should consider the following:

- (a) The holiday display should:
  1. Have a primary purpose that is secular.
  2. Recognize the celebration of the holidays and/or seasonal traditions (e.g., lights, snowflakes, Santa Claus in the winter; bunnies, baskets, eggs in the spring).
  3. Include religious symbols only if they are accompanied by numerous other non-religious holiday items and in a non-religious setting.
- (b) The holiday display should not:
  1. Include religious symbols (e.g., a nativity scene, a cross, a menorah) alone or in a setting that focuses on or draws attention to a specific religion or the religious nature of a symbol.
  2. Be placed in any location that makes it appear that the display endorses a religion (e.g., on property adjacent to a church, other religious institution, or area

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#### *Holiday Displays*

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connected to a religion; on city property that has a statue, monument, or sign that in combination with a holiday display might appear to endorse a religion).

3. Be used for any religious practices or ceremonies.

## Flags

### 304.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper display of flags at city facilities.

### 304.2 POLICY

It is the policy of the City to display flags in compliance with federal and state laws and local ordinances.

### 304.3 DISPLAY OF FLAGS

Flags flown at city facilities will be displayed in the following order of prominence:

- (a) The United States flag
- (b) Flags of foreign governments recognized by the United States when flown with the United States flag
- (c) The state flag
- (d) The city flag
- (e) The agency flag
- (f) Any commemorative flags

### 304.4 DISPLAYING THE FLAG OF THE UNITED STATES

Federal law providing for the use and the display of the United States flag is contained in Title 4 Chapter 1 of the United States Code, commonly referred to as the “Flag Code.” The City will display the flag of the United States in accordance with the provisions of 4 USC § 1 through 4 USC § 10.

#### 304.4.1 DISPLAY OF THE UNITED STATES FLAG IN DAILY OPERATIONS

Employees should consult the Flag Code for guidance whenever the flag of the United States is to be displayed in any manner. This is to ensure that the display is presented in accordance with the Flag Code and as follows:

- (a) The United States flag should be conspicuously posted on all city facilities during hours of operation.
- (b) It is the universal custom to display the flag only from sunrise to sunset on buildings and on a stationary flagstaff in the open. However, the flag may be displayed 24 hours a day if it is properly illuminated during the hours of darkness (4 USC § 6).
- (c) The flag should not be displayed on days when the weather is inclement, except when an all-weather flag is displayed (4 USC § 6).
- (d) The United States flag may only be flown at half-staff by Presidential or Gubernatorial decree, and on Memorial Day until noon (4 USC § 7).

Whenever the United States flag is displayed in conjunction with other flags or symbols it should occupy the “Place of Honor” (4 USC § 7).

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#### **304.5 DISPLAY OF THE STATE FLAG**

The City will display the state flag prominently and in the proper position of honor in accordance with the United States Flag Code.

##### **304.5.1 DISPLAY OF THE STATE FLAG IN DAILY OPERATIONS**

Employees should review state law for guidance whenever the flag is to be displayed in any manner to ensure that the display is presented appropriately. Displays of the flag should be consistent with the following protocol:

- (a) The flag should be conspicuously posted on all city facilities during hours of operation.
- (b) Generally, the flag should be displayed only from sunrise to sunset on buildings and on a stationary flagstaff in the open. However, the flag may be displayed 24 hours a day if it is properly illuminated during the hours of darkness.
- (c) The flag should not be displayed on days when the weather is inclement, except when an all-weather flag is displayed.
- (d) The flag shall be flown at half-staff whenever the flag of the United States is flown at half-staff, and may only be flown at half-staff at other times by order of the Governor.
- (e) Whenever the flag is displayed in conjunction with the United States flag, the United States flag shall occupy the position of first honor (4 USC § 7). When the flag is displayed in conjunction with other flags or symbols, it should occupy the position of honor.

#### **304.6 DISPLAY OF COMMEMORATIVE OR UNOFFICIAL FLAGS**

City flag displays, including but not limited to flagstaffs, are not intended to serve as a forum for free expression by the public. Commemorative flags or flags not identified in this policy, including flags of a government not recognized by the United States, should not be displayed by the City without prior approval from the City Manager.

## **Chapter 4 - Equipment**

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## Local Government-Owned and Personal Property

### 400.1 PURPOSE AND SCOPE

This policy addresses the care of city-owned property and the role of the City when personal property, the property of another person or entity, or city-owned property is damaged or lost.

### 400.2 POLICY

The City will ensure that employees are issued appropriate property and equipment necessary for the employee's job function. The City will take steps to minimize the cost associated with maintaining city property, including personal property authorized for use in the employee's duties.

### 400.3 LOCAL GOVERNMENT-ISSUED PROPERTY

Supervisors should document all property and equipment issued by the City in the appropriate file at the time of issuance. Receipt of issued items shall be acknowledged by the receiving employee's signature. Upon separation from the City, all issued property and equipment shall be returned. Documentation of the return shall be acknowledged by the signature of a supervisor.

#### 400.3.1 EMPLOYEE RESPONSIBILITIES

Employees shall be responsible for the safekeeping, serviceable condition, proper care, proper use, and replacement of city property that has been assigned or entrusted to them.

- (a) Employees shall promptly report, through their supervisors, any loss of, damage to, or unserviceable condition of any city-issued property or equipment.
- (b) The use of damaged or unserviceable property should be discontinued as soon as practicable, and the item replaced with a comparable item as soon as available.
- (c) Except when otherwise directed by a supervisor or when exigent circumstances exist, city-issued property shall only be used by those to whom it was assigned. Use should be limited to official purposes and reasonable personal use in the capacity for which it was designed.
- (d) City-issued property shall not be thrown away, sold, traded, donated, destroyed, or otherwise disposed of without prior approval.
- (e) Employees should obtain a supervisor's approval before any attempt to repair damaged or unserviceable property, unless the repair is of a minor or temporary nature.

### 400.4 PERSONAL PROPERTY

Personal property or equipment shall not be carried during work hours or used for work-related purposes without prior approval by the City Manager or appropriate supervisor. The employee should submit a request that includes a description of the property and the reason and length of time it will be used. Personal property of the type routinely carried (e.g., cell phone, wallet, sunglasses) is excluded from this requirement (see the Personal Communication Devices Policy).

The City will not replace or repair property that is not reasonably required as part of work.

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#### *Local Government-Owned and Personal Property*

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##### **400.4.1 FILING CLAIMS FOR PERSONAL PROPERTY**

An employee requesting reimbursement for damage to, or loss of, personal property must submit the request in writing to the employee's immediate supervisor.

Upon review by the supervisor and a finding that no misconduct or negligence was involved, repair or replacement may be recommended to the City Manager or the authorized designee, who will then forward the claim to the agency responsible for issuing payments.

##### **400.5 SUPERVISOR RESPONSIBILITIES**

The supervisor receiving a report that property, including personal property authorized for use, has been damaged should conduct an investigation and direct a memo to the City Manager or the authorized designee. The memo should include the result of the investigation and whether reasonable care was taken to prevent the loss, damage, or unserviceable condition.

In cases where the supervisor has reason to believe that misconduct or negligence was involved in the loss, damage, or unserviceable condition of property, the supervisor should consider whether disciplinary or other corrective action would be appropriate.

##### **400.6 DAMAGE TO PROPERTY OF ANOTHER PERSON OR ENTITY**

Employees who intentionally or unintentionally damage or cause to be damaged the real or personal property of another person or entity while performing any city function shall promptly report the damage to a supervisor.

###### **400.6.1 DAMAGE BY OTHERS**

Employees who observe damage to the real or personal property of the City should report the damage as follows:

- (a) A verbal report should be made to the employee's immediate supervisor and to the employee or agency responsible for the property as soon as practicable.
- (b) A written report should be submitted before the end of the employee's workday or as otherwise directed by the supervisor.

## Personal Communication Devices

### 401.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of mobile telephones and other communication devices, whether issued or funded by the City or personally owned, during work hours or when used for authorized work-related purposes.

This policy generically refers to all such devices as Personal Communication Devices (PCDs) but is intended to include all mobile telephones, personal digital assistants (PDAs), wireless-capable tablets and similar wireless two-way communications, and/or portable internet access devices. PCD use includes but is not limited to placing and receiving calls, text messaging, blogging and microblogging, emailing, using video or camera features, playing games, and accessing sites or services on the internet.

### 401.2 POLICY

The City allows employees to utilize city-issued or funded PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations. Any PCD used during work hours, or during non-work hours in any manner reasonably related to the business of the City, will be subject to monitoring and inspection consistent with the standards set forth in this policy

Employees are advised and cautioned that the use of a personally owned PCD for business-related purposes may subject the employee and the employee's PCD records to civil or criminal discovery or disclosure under applicable public records laws

Employees who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory staff.

### 401.3 PRIVACY EXPECTATION

Employees forfeit any expectation of privacy with regard to any communication accessed, transmitted, received, or reviewed on any PCD issued or funded by the City and shall have no expectation of privacy in their location should the device be equipped with location detection capabilities (see the Information Technology Use Policy for additional guidance).

### 401.4 LOCAL GOVERNMENT-ISSUED PCD

Depending on an employee's assignment and the needs of the position, the city may, at its discretion, issue or fund a PCD for the employee's use to facilitate work performance. City issued or funded PCDs may not be used for personal business during or after work hours unless authorized by the City Manager or the authorized designee. Employees who have a position titled Division Manager or above will have the choice to accept a city issued cell phone, or to use their own personal device and be reimbursed \$115 per month. This reimbursement would leave the city employee solely responsible to have an acceptable data plan to perform their job function and to maintain their device in proper working order as to be able to make and receive calls, send, and receive SMS and picture messages, and respond to emails. Any devices on the city's phone plan, shall remain the sole property of the City. Any device used for communication about

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#### *Personal Communication Devices*

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the employees' job or the city, whether a personal phone being reimbursed, or a city issued cell phone, shall be subject to inspection or monitoring (including all related records and content) at any time without notice and without cause. Employees who are receiving reimbursement will retain privacy over personal communication and apps on their phone but must comply with requests for information regarding any GRAMA request or city investigation regarding communication related to Roosevelt City. Employees who choose to accept a city phone will be directed by the City Manager or their Department Head on proper use during or after work hours in regard to personal use.

#### **401.5 PERSONALLY OWNED PCD**

Employees may carry a personally owned PCD during work hours, subject to the following conditions and limitations:

- (a) Permission to carry a personally owned PCD may be revoked if it is used contrary to provisions of this policy.
- (b) The City accepts no responsibility for loss of or damage to a personally owned PCD.
- (c) The PCD and any associated services shall be purchased, used, and maintained solely at the employee's expense.
- (d) The device should not be used for work-related purposes except in exigent circumstances (e.g., unavailability of internal communication systems). Employees will have a reduced expectation of privacy when using a personally owned PCD in the workplace and have no expectation of privacy with regard to any city business-related communication.
  - 1. Employees may use personally owned PCDs during work hours for routine administrative work as authorized by the City Manager.
- (e) The device shall not be utilized to record or disclose any city business-related information, including photographs, video, or the recording or transmittal of any information or material obtained or made accessible as a result of employment or appointment with the City, without the express authorization of the City Manager or the authorized designee.
- (f) Use of a personally owned PCD for work-related business constitutes consent for the City to access the PCD to inspect and copy data to meet the needs of the City, which may include litigation, records retention and release obligations, and internal investigations. If the PCD is carried during work hours, employees will provide the City with the telephone number of the device. All work-related documents, emails, photographs, recordings, or other public records created or received on an employee's personally owned PCD should be transferred to the City and deleted from the employee's PCD as soon as reasonably practicable but no later than the end of the employee's workday.
- (g) All work-related documents, emails, photographs, recordings, or other public records created or received on an employee's personally owned PCD should be transferred to the City and deleted from the employee's PCD as soon as reasonably practicable but no later than the end of the employee's workday.

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Except with prior express authorization from their supervisors, employees are not obligated or required to carry, access, monitor, or respond to electronic communications using a personally owned PCD during non-work hours. If an employee is in an authorized status that allows for appropriate compensation consistent with policy or existing employment agreements, or if the employee has prior express authorization from a supervisor, the employee may engage in city business-related communications. Should employees engage in such approved communications or work during non-work hours, employees entitled to compensation shall promptly document the time worked and communicate the information to their supervisors to ensure appropriate compensation. Employees who independently document city-related business activities conducted during non-work hours in any manner shall promptly provide the City with a copy of such records to ensure accurate record keeping.

#### **401.6 USE OF PCD**

The following protocols shall apply to all PCDs that are carried during work hours or used to conduct city business:

- (a) All PCDs in the workplace shall be set to silent or vibrate mode.
- (b) A PCD may not be used to conduct personal business during work hours, except for brief personal communications (e.g., informing family of extended hours). Employees shall endeavor to limit their use of PCDs to authorized break times, unless an emergency exists.
- (c) Employees may use a PCD to communicate with other personnel in situations where the use of city-provided communications methods is either impracticable or not feasible. PCDs should not be used as a substitute for, as a way to avoid, or in lieu of regular city-provided communications methods.
- (d) Employees are prohibited from taking pictures, audio or video recordings, or making copies of any such picture or recording media unless it is directly related to official city business. Disclosure of any such information to any third party through any means, without the express authorization of the City Manager or the authorized designee, may result in discipline.
- (e) Employees will not access social networking sites for any purpose that is not official city business.
- (f) Using PCDs to harass, threaten, coerce, or otherwise engage in inappropriate conduct with any third party is prohibited. Any employee having knowledge of such conduct shall promptly notify a supervisor.

#### **401.7 SUPERVISOR RESPONSIBILITIES**

The responsibilities of supervisors include but are not limited to:

- (a) Ensuring that employees under their supervision are provided appropriate training on the use of PCDs consistent with this policy.
- (b) Monitoring to the extent practicable, PCD use in the workplace and taking prompt corrective action if an employee is observed or reported to be improperly using a PCD.

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1. An investigation into improper conduct should be promptly initiated when circumstances warrant.
2. Before conducting any administrative search of an employee's personally owned device, supervisors should consult with the City Manager or the authorized designee.

#### **401.8 OFFICIAL USE**

Employees are reminded that PCDs are not secure devices and conversations may be intercepted or overheard. Caution should be exercised while utilizing PCDs to ensure that sensitive information is not inadvertently transmitted. As soon as reasonably possible, employees shall conduct sensitive or private communications on a land-based or other city communications network.

#### **401.9 USE WHILE DRIVING**

Employees operating vehicles shall not use a PCD while driving unless the device is specifically designed and configured to allow hands-free use. Hands-free use should be restricted to urgent business-related calls.

## Vehicle Maintenance

### **402.1 PURPOSE AND SCOPE**

The purpose of this policy is to ensure that city vehicles are appropriately maintained.

### **402.2 POLICY**

The City will service agency vehicles to ensure they remain operational and maintain their appearance, as resources allow.

### **402.3 GENERAL DUTIES**

Employees are responsible for assisting in maintaining city vehicles so that they are properly equipped, maintained, and refueled and present a clean appearance.

### **402.4 DEFECTIVE VEHICLES**

When a vehicle becomes inoperative or in need of repair that affects the safety of the vehicle, that vehicle shall be removed from service. Proper documentation shall be promptly completed by the employee who becomes aware of the defective condition and forwarded to a supervisor for action.

Documents describing the correction of the safety issue shall be promptly filed by the supervisor with the vehicle history.

#### **402.4.1 DAMAGE OR POOR PERFORMANCE**

Vehicles that may have been damaged or perform poorly shall be removed from service for inspections and repairs as soon as practicable.

#### **402.4.2 SEVERE USE**

Vehicles operated under severe-use conditions, which include operations for which the vehicle is not designed or that exceed the manufacturer's parameters, should be removed from service and subjected to a safety inspection as soon as practicable. Such conditions may include rough roadway or off-road driving, hard or extended braking, and severe weather exposure.

#### **402.4.3 REMOVAL OF WEAPONS**

Only lawful firearms, weapons, or control devices shall be carried in city vehicles. Any lawful firearms, weapons, and control devices shall be removed from a vehicle and properly secured prior to the vehicle being released for maintenance, service, or repair.

### **402.5 VEHICLE REFUELING**

Generally, vehicles should not be operated with less than one-quarter tank of fuel. Vehicles should not be returned to the pool or the assigned agency at the end of the workday with less than one-quarter tank of fuel. Vehicles shall only be refueled at an authorized location.

### **402.6 WASHING OF VEHICLES**

Vehicles shall be kept clean at all times and, weather conditions permitting, shall be washed as necessary to maintain the professional appearance of the City.

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Employees using a vehicle shall remove any trash or debris at the end of their workday. Confidential material should be placed in a designated receptacle that has been provided for shredding this material.

## Vehicle Use

### 403.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for employees who use vehicles for city business. This policy does not create or imply any contractual obligation by the City to provide assigned vehicles.

Individual agency heads may have additional policies for vehicle use to address specific vehicles (e.g., emergency vehicles) and duty assignments (e.g., law enforcement undercover work).

### 403.2 POLICY

The City authorizes the use of certain vehicles for official city business to enhance operational efficiency and requires that vehicles are operated in a safe and legal manner.

### 403.3 USE OF VEHICLES

#### 403.3.1 VEHICLE ASSIGNMENTS

City vehicles may be assigned to individual employees at the discretion of the City Manager or the authorized designee. Vehicles may be assigned for partial or full workday use and/or take-home use. Vehicle assignments may be changed or suspended at any time. Permission to take home a vehicle may be withdrawn at any time.

Vehicle assignments shall be based on the employee's job description, essential functions, and employment status. Vehicles may be reassigned or utilized by other city employees at the discretion of the City Manager or the authorized designee.

The City Manager or the authorized designee is responsible for creating a vehicle assignment roster each day and for maintaining the rosters in accordance with the established records retention schedule.

#### 403.3.2 EMPLOYEE RESPONSIBILITIES

Employees operating a vehicle as part of their job with the City shall:

- (a) Possess a valid driver's license.
  - 1. Employees shall report any suspensions or revocations of their license and any changes to driving privileges as soon as practicable and before any subsequent city vehicle use or personal vehicle use for city business.
  - 2. Employees must possess a valid commercial driver's license or special class license when applicable.
- (b) Provide the city with a driver's history report upon request.
- (c) Possess appropriate insurance as required for personal vehicles used for city business.
  - 1. Employees shall notify a supervisor if their automobile insurance has been canceled, declined, or not renewed.

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#### *Vehicle Use*

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2. The private insurance of employees using their personal vehicles under this policy shall be considered the primary insurance for any accidents or damage.
- (d) Notify a supervisor of any citations or arrests for motor vehicle-related violations or offenses as soon as practicable.
  - (e) Obey all traffic laws.
  - (f) Maintain any personal vehicles used for city business in safe working order, neat and clean fashion.

#### 403.3.3 INSPECTIONS

Employees shall be responsible for inspecting the interior and exterior of any assigned city vehicle. If the vehicle is assigned for the workday, it should be inspected before use and at the conclusion of the workday. If the vehicle is assigned for less than a workday, it should be inspected before use and upon conclusion of use. Any previously unreported damage, mechanical problems, unauthorized contents, or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

All city vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No employee assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

#### 403.3.4 SECURITY AND UNATTENDED VEHICLES

Unattended vehicles should be locked and secured at all times to safeguard any city equipment prior to parking or leaving the vehicle.

#### 403.3.5 VEHICLE LOCATION SYSTEM

City vehicles, at the discretion of the City Manager, may be equipped with a system designed to track the vehicle's location. While the system may provide vehicle location and other information, employees are not relieved of their responsibility to use any required communication practices to report their location and status.

Employees shall not make any unauthorized modifications to the system. If an employee finds that the system is not functioning properly at any time, the employee should notify a supervisor as soon as reasonably practicable.

System data may be accessed by supervisors at any time. However, access to historical data by other than supervisors will require City Manager approval.

All data captured by the system shall be retained in accordance with the established records retention schedule.

#### 403.3.6 KEYS

Employees who are assigned a specific vehicle should be issued keys for that vehicle. Employees shall not duplicate keys or share them with any person except another employee authorized to use that vehicle. The loss of a key shall be promptly reported in writing to the employee's supervisor.

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#### *Vehicle Use*

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##### **403.3.7 AUTHORIZED PASSENGERS**

Employees operating assigned vehicles shall not permit unauthorized persons to ride as passengers in the vehicle.

##### **403.3.8 PARKING**

Employees should obey parking regulations at all times.

City vehicles should be parked in assigned spaces. Employees shall not park personal vehicles in spaces assigned to city vehicles or in other parking areas that are not so designated unless authorized by a supervisor.

##### **403.3.9 ACCESSORIES AND/OR MODIFICATIONS**

There shall be no modifications, additions, or removal of any equipment or accessories from city vehicles without written permission from the City Manager or the authorized designee.

#### **403.4 UNSCHEDULED TAKE-HOME USE**

Employees authorized to drive a city vehicle but are not assigned a specific vehicle may take home city vehicles only with prior approval of a supervisor and shall meet the following criteria:

- (a) The circumstances are unplanned and were created by the needs of the City.
- (b) Other reasonable transportation options are not available.
- (c) The employee lives within a reasonable distance (generally not to exceed a 60-minute drive time) of the city limits.
- (d) Off street parking will be available at the employee's residence.
- (e) The vehicle will be locked when not attended.
- (f) All portable city equipment will be removed from the interior of the vehicle and properly secured in the residence when the vehicle is not attended, unless the vehicle is parked in a locked garage.

When such circumstances occur, the City Manager or the authorized designee shall document the unscheduled take-home use in the vehicle assignment roster.

#### **403.5 ASSIGNMENT OF TAKE-HOME VEHICLES**

City vehicles may be driven to and from work if an employee lives within 30 miles of the Roosevelt City Building. In the event an employee needs to make an incidental stop during their normal course of travel to or from work, they may do so in their city issued vehicle. Employees may not go home, and then re enter their city vehicle to attend to personal needs such as grocery shopping, date nights, attending children or other family member events, camping, hunting, farm work, etc.

Employees are cautioned that under federal and local tax rules, personal use of a city vehicle may create an income tax liability for the employee. Questions regarding tax rules should be directed to the employee's tax adviser.

Travel to and from the home will not be considered work time unless the employee is responding to and from an emergency as part of the employee's duties.

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#### *Vehicle Use*

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##### **403.5.1 AGREEMENT, REVOCATION, MODIFICATION**

Only Assigned City Employees are allowed to drive city vehicles at any time. No other family member may drive, even to reposition at their home, a city vehicle.

Employees who are found in violation of this policy will be subject to our progressive discipline policy and may have their vehicle privileges suspended or revoked.

Roosevelt City may need to amend our City Vehicle Use policy or which jobs or employees are assigned a vehicle at any time.

##### **403.6 DAMAGE, ABUSE, AND MISUSE**

When any city vehicle is involved in a traffic accident or otherwise incurs damage, the involved employee shall promptly notify a supervisor. Any traffic accident report shall be filed with the agency having jurisdiction, with a copy provided to the City Manager or the authorized designee.

Damage to any city vehicle that was not caused by a traffic accident shall be immediately reported during the shift or workday in which the damage was discovered and documented in memorandum format, which shall be forwarded to the City Manager or the authorized designee. An administrative investigation should be initiated to determine if there has been any vehicle abuse or misuse.

##### **403.7 TOLL ROAD USAGE, FUEL, AND MILEAGE**

Employees operating vehicles for city business shall pay the appropriate toll charge or utilize the appropriate tollway transponder.

With the exception of take-home vehicles driven to and from the employee's residence, employees may submit for reimbursement from the City for toll fees and fuel expenses incurred in the course of official business. In lieu of fuel expenses, employees may submit for reimbursement for mileage accrued on personal vehicles used for city business.

##### **403.8 VEHICLE ALLOWANCE**

Appointed positions or Department Heads may elect a vehicle allowance who wish to utilize a personal vehicle in the course of their employment with the City. The allowance will include a set monthly amount of \$800 and then will allow for reimbursement of business mileage. Employees will be required to keep daily records of mileage. Employees can use a city provided form, or through a digital app of their choosing. The Chief of Police may not participate in the vehicle allowance Policy.

Employees Eligible for a vehicle allowance who elect not to use a personal vehicle, will be assigned a vehicle owned by the City. After their initial election regarding which alternative they desire, eligible employees may only

change alternatives after 4 years, pursuant to this policy including City Manager approval. Electing to receive a vehicle allowance shall require a four-year commitment from the employee. Roosevelt City has the discretion to

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to discontinue this program at any time. However, should Roosevelt City decide to discontinue this policy, four-years notice shall be given to employees who are using personal vehicles at the time the policy is discontinued.

Employees who elect to use personal vehicles pursuant to this policy shall use the approved vehicle for all assignments made, as they would a City owned vehicle.

#### 403.8.1 INSPECTIONS AND REPAIRS

Personal vehicles that fail to maintain reasonable safety standards, the City may immediately revoke that employee's eligibility for any and all provisions of this policy. The former safety inspection standards utilized by the State of Utah for Vehicle Inspections shall be recognized # as the minimum safety standard of this policy. The City Manager may impose more stringent standards upon 30 days written notice to eligible employees.

Employees with vehicle allowances will be responsible for repair costs of any and all damages incurred to any personal vehicle used pursuant to this policy.

#### 403.8.2 BUSINESS TRAVEL

Employees using the vehicle allowance policy for business travel in excess of 200 miles one way, a city vehicle may be used or the employee may submit fuel receipts for reimbursement of a properly approved personal vehicle. No employee electing to use a personal vehicle pursuant to this policy shall be eligible for mileage reimbursement under 200 miles.

#### 403.8.3 DISCONTINUED USE AND REVOCATION

Roosevelt City reserves the right to revoke authorization to utilize a personal vehicle and to discontinue vehicle allowance payments to any employee for non-compliance with the terms of this policy. Prior to discontinuing payments the employee will be given 30 notice of the policy violation and of the City's intent to discontinue payments and to revoke authorization to utilize a personal vehicle. If the employee fails to comply with all terms of this policy within the 30 day notice period, then authorization to use personal vehicle will be revoked and vehicle allowance payments will be discontinued.

When an employee's term of employment ends with the City for any reason, both voluntary and involuntary, any applicable vehicle allowance shall be prorated to the date employment ended and will be paid until but not beyond that date.

#### 403.8.4 RECORDS

The City Manager or designee shall maintain records of all employees electing to use approved personal vehicles pursuant to this policy including a signed copy of the Automobile Allowance Agreement for each applicable employee. All eligible employees, who choose the personal vehicle with allowance alternative, must commit in four year blocks. The City Manager may waive an employee's obligations pursuant to this policy upon demonstration of obvious, extreme, or other extenuating circumstances that would no longer make it feasible for an employee's continued participation.

## Vehicle Safety Restraints/Safety Belts

### 404.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of safety belts and child restraints. This policy will apply to all employees operating or riding in city vehicles.

Individual agency policies may provide additional guidance.

#### 404.1.1 DEFINITIONS

Definitions related to this policy include:

**Child restraint system** - An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards (FMVSS) and regulations set forth in 49 CFR 571.213.

### 404.2 POLICY

It is the policy of the City that employees use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle accident.

### 404.3 WEARING OF SAFETY RESTRAINTS

All employees shall wear properly adjusted safety restraints at all times when operating or riding in a seat equipped with restraints, in any vehicle owned, leased, or rented by this city, or in any privately owned vehicle when conducting city business. The employee driving such a vehicle shall ensure that all other occupants, including those who are not employees of the City, are properly restrained.

### 404.4 TRANSPORTING CHILDREN

Child passengers shall be transported using an approved child restraint system in compliance with federal and state law.

### 404.5 INOPERABLE SAFETY BELTS

City vehicles shall not be operated when the safety belt in the driver's position is inoperable. Persons shall not be transported in a seat in which the safety belt is inoperable.

City vehicle safety belts shall not be modified, removed, deactivated, or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the express authorization of the City Manager or the authorized designee.

Employees who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

### 404.6 VEHICLES MANUFACTURED WITHOUT SAFETY BELTS

Vehicles manufactured and certified for use without safety belts or other restraint systems are subject to the manufacturer's operator requirements for safe use.

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### **404.7 VEHICLE AIRBAGS**

In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated, except when transporting children as written elsewhere in this policy. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.

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# Personal Protective Equipment

## 405.1 PURPOSE AND SCOPE

This policy addresses the use of personal protective equipment (PPE) provided by the City.

### 405.1.1 DEFINITIONS

Definitions related to this policy include:

**Personal protective equipment (PPE)** - Equipment that protects a person from serious workplace injuries or illnesses resulting from contact with chemical, radiological, physical, electrical, mechanical, or other workplace hazards.

## 405.2 POLICY

The City endeavors to protect employees by supplying certain PPE as provided in this policy and by requiring personal purchase and/or use of PPE by employees in certain positions.

## 405.3 SUPERVISOR RESPONSIBILITIES

Supervisors are responsible for identifying and making available PPE appropriate for the work environment.

## 405.4 EMPLOYEE RESPONSIBILITIES

Employees are required to use PPE pursuant to their training.

Employees are responsible for proper maintenance and storage of issued PPE. PPE should be stored in an appropriate location so that it is available when needed.

Any employee who identifies hazards in the workplace is encouraged to utilize the procedures in the Illness and Injury Prevention Policy to recommend new or improved PPE or additional needs for PPE.

## 405.5 EQUIPMENT PROCUREMENT AND USE

PPE shall meet or exceed any applicable requirements. Federal or other nationally recognized standards should be used as a guide for the procurement, use, maintenance, and storage of the following safety-related equipment in the absence of other mandatory requirements:

- (a) Hearing protection (29 CFR 1910.95)
- (b) Eye protection (29 CFR 1910.133)
- (c) Respiratory protection (29 CFR 1910.134)
- (d) Head protection (29 CFR 1910.135)
- (e) Foot protection (29 CFR 1910.136)
- (f) Electrical protective equipment (29 CFR 1910.137)
- (g) Hand protection (29 CFR 1910.138)
- (h) Personal fall protection systems (29 CFR 1910.140)

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##### **405.6 RECORDS**

Supervisors are responsible for maintaining records of all:

- (a) PPE training.
- (b) PPE procurement and distribution.
- (c) Fit tests and medical evaluations related to respiratory protection equipment, when applicable. Medical evaluation questionnaires and any physical examination results related to respirator use shall be maintained in a separate confidential medical file.

The records shall be maintained in accordance with the city records retention schedule.

##### **405.7 TRAINING**

Employees should be trained in the hazards to which they may be potentially exposed during routine and emergency situations.

All employees should be trained in the proper use and maintenance of PPE issued to them, including when the use is appropriate; how to put on, remove, and adjust PPE; how to care for PPE; and the limitations of each device (29 CFR 1910.132).

Employees issued respiratory PPE should attend annual training on the proper use of respiratory protection devices (29 CFR 1910.134).

# Physical Asset Management

## 406.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for maintaining a system of inventory and accountability over the city's physical assets. This policy does not address management of intangible assets (e.g., intellectual property), fluid assets (e.g., cash, stocks, marketable securities), real property, or natural assets (e.g., water, air quality, minerals).

Individual agency heads may have additional policies for department-specific assets.

### 406.1.1 DEFINITIONS

Definitions related to this policy include:

**Physical assets** – All tangible items of value, including but not limited to materials, machinery, tools and equipment, vehicles, office supplies, and furniture.

## 406.2 POLICY

It is the policy of this city to accurately inventory, maintain, and dispose of its physical assets in a manner that controls costs, avoids waste, and promotes the mission of the City. This policy shall apply only to individual items with a value of One Thousand Dollars (\$500.00) or more.

## 406.3 RESPONSIBILITIES

The City Manager should assign a person or persons to be responsible for the inventory, maintenance, and disposal of city physical assets, including:

- (a) Maintaining compliance with federal, state, and local laws regarding physical asset management, inventory control, and reporting requirements.
- (b) Developing procedures for the implementation of this policy, including:
  1. Procedures for disposal of all city-owned physical assets in accordance with federal, state, and local law.
  2. Procedures for safe disposal of hazardous waste.
  3. Procedures for inter-agency transfers of physical assets.
  4. Procedures for each agency to inventory assets as according to internal reporting deadlines (e.g., quarterly, annually).
- (c) Developing a physical asset management plan to track the city's physical assets and maintain accurate and complete records related to these assets. The plan should include:
  1. A minimum value of the physical assets that are subject to this policy, the plan, and the implementing procedures.
  2. An inventory control and recordkeeping system to account for the movement, storage, maintenance and use, loss, damage, destruction, and disposal of the city's physical assets.
  3. Routine internal and external audit practices.

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4. Procedures to access physical assets for re-use, transfer, recycle, or disposal.
- (d) Designating custodians within each agency, as appropriate, for inter-agency communication and to serve as inventory liaisons under the physical asset management plan.
- (e) Annual physical asset acquisition planning.

#### **406.4 IDENTIFICATION AND TAGGING**

Physical assets should be tagged using a bar code or other system to identify and locate the items. Tags should be affixed in the same manner and location on each item, when feasible. The following information regarding the tagged item should be maintained using the inventory control system and method of recordkeeping established in the physical asset management plan:

- (a) A description of the item, including but not limited to:
  1. Make, model, and serial number
  2. Physical dimensions and weight
  3. Color, material, and other physically distinct qualities
  4. Warranty and/or recall information, if any
- (b) The agency and specific location where the item can be found
- (c) The acquisition date of the item, as well as the amount and funding source for the acquisition
- (d) The intended and actual use of the item
- (e) The expiration of an item's lease or loan terms

#### **406.5 SURPLUS OR OBSOLETE ASSETS**

A agency that no longer utilizes a physical asset should have the asset identified as surplus or obsolete. If the physical asset retains value that may be utilized by another agency, the item should be stored as surplus or transferred in accordance with the procedures established pursuant to this policy. If the physical asset is deemed obsolete, the item shall be disposed of in accordance with this policy.

##### **406.5.1 STORAGE**

When practicable, physical assets that retain value but are not being utilized should be stored in lieu of disposal. Physical assets in storage are subject to routine inventory and revaluation. If the physical asset's value is less than the cost of storage, the City should pursue disposal of the item in accordance with this policy.

##### **406.5.2 TRANSFERS**

When a physical asset is transferred from one agency to another, the value of the physical asset should transfer with the asset. Inter-agency transfers shall be documented through the inventory control and recordkeeping system implemented by the physical asset management plan.

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#### **406.6 LOSS, DAMAGE, OR DESTRUCTION**

Circumstances surrounding loss, damage, or destruction of the city's physical assets shall be promptly reported to and investigated by the City Manager or the authorized designee for purposes of inventory, valuation, and recordkeeping. Otherwise, loss, damage, or destruction of such assets shall be handled in accordance with the Local Government-Owned and Personal Property Policy.

#### **406.7 USAGE MONITORING**

Physical asset performance should be regularly monitored for functionality, utility, wear-and-tear, and cost-effectiveness. Usage monitoring of the city's physical assets should include the duration of use (e.g., daily use and number of hours in use), user satisfaction, costs of operating the asset, and the asset's contribution to employee performance and overall productivity.

#### **406.8 MAINTENANCE**

Routine maintenance of physical assets should be proactive to limit interruption of the city's daily operations. Employees should report any physical asset performance issues to a supervisor.

Maintenance requests and reports shall be recorded in the inventory control and recordkeeping system implemented by the physical asset management plan. The City Manager or the authorized designee shall routinely evaluate maintenance expenditures to determine whether continued maintenance is beneficial.

#### **406.9 DISPOSAL**

Physical assets slated for disposal should be evaluated for salvage value (e.g., items containing reusable materials like aluminum or copper) or transfer or storage in accordance with this policy.

#### **406.10 INVENTORY AND REPORTS**

Routine inventory of physical assets should be conducted for purposes of loss control, revaluation, retagging, documenting asset movement and condition, disposition and acquisition planning, and obtaining adequate insurance coverage.

All internal controls and inventories related to physical asset management shall be accurately documented and subject to both internal and external audit. Inventory reports should include an explanation of any discrepancies from the previous period.

All inventory documentation shall be retained and stored in accordance with the records retention schedule.

#### **406.11 TRAINING**

Employees and supervisors accountable for the proper care, use, transfer, maintenance, storage, loss, and disposition of all city physical assets should receive training regarding their responsibilities under the physical asset management plan.

# RC Surplus Property Disposition, Transfer, Internal Sale

## 407.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines regarding the disposition, transfer, and sale of city-owned surplus personal property; to ensure that sales are conducted in an open, competitive environment; and to minimize disposition costs.

### 407.1.1 DEFINITIONS

**Purchasing Agent** - The City Recorder, in cooperation with the City Manager, who is responsible for the disposition of surplus City personal property.

**City Agency** - Any department, division, or elected office, or other subdivision of city government.

**Personal Property** - All property that is not considered real property. All city personal property shall be subject to these provisions, regardless of the means of acquisition. Firearms shall not be considered Personal Property.

**Surplus Property** - Personal property that is no longer needed by a city agency for the performance of its duties.

**Scrap** - Personal property for which the estimated value is less than or equal to \$250 as estimated by the applicable department head and the City Recorder.

## 407.2 POLICY

This policy shall apply to all dispositions, transfers, and internal sales of city personal property. This policy is applicable regardless of original purchase price, current fair market value (actual or estimated), accounting classification, or method of acquisition. Utah State Code governs all personal property disposition transactions, unless conflicts with City policy exist.

All dispositions, transfers, and internal sales shall comply with the "Uniform Fiscal Procedures Act," generally accepted accounting principles as required by the State Uniform Accounting Manual for Counties and GRAMA Records Management.

## 407.3 ACCOUNTABILITY

The City Recorder is responsible for the disposition of surplus city personal property, unless otherwise specified.

## 407.4 GENERAL CONDITIONS

Any transfer of personal property from one agency to another requires that a transfer form be correctly completed and signed by an authorized employee of both the transferring and receiving agencies.

The transferring agency has the responsibility to see that the form is initiated, fully completed, properly signed, and that a copy is provided to the transferring agency, the receiving agency, and to the City Recorder's office.

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#### *RC Surplus Property Disposition, Transfer, Internal Sale*

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Proceeds from the sale or disposition of personal property will be recorded as revenue of the transferring fund if completed fixed asset information is recorded on the transfer form.

The transfer form serves as both the initiating document and as the receipt, and shall be used to document all surplus property transactions.

#### **407.5 CONDITION OF PROPERTY**

All surplus personal property, regardless of its physical condition, shall be disposed of in accordance with these provisions. Items which are obviously scrap may be disposed of at the discretion of the applicable department head and City Recorder.

- (a) In order for any item to be disposed of as scrap, applicable department head and the City Recorder or designee must agree that it meets the definition prior to disposal.
- (b) Hazardous materials such as insecticides, solvents, medical wastes, paints, combustibles, and any other toxic or hazardous items shall not be disposed of through the surplus program. City agencies shall contact the health department for guidance in disposing of these items properly.
- (c) Prior to surplussing information technology equipment, the IT consultant shall delete all information from all storage devices. Information shall be deleted in such a manner as to not be retrievable by data recovery technologies.
- (d) This policy does not include firearms.

#### **407.6 CONVEYANCE OF SURPLUS PERSONAL PROPERTY FOR CONSIDERATION OTHER THAN MONETARY**

Personal property no longer needed by the city may be conveyed to a non-city entity if there is fair and adequate consideration given by the non-city organization.

Consideration can be defined as a service provided to the city and its residents, reasonably equivalent to the fair market value of the property.

All personal property conveyed shall be approved by the City Recorder. Unless otherwise agreed by the Recorder, a contract should be prepared to describe the property to be conveyed and the services to be performed in consideration thereof.

#### **407.7 DISPOSITION, TRANSFER, INTERNAL SALE OF SURPLUS PROPERTY BY CITY AGENTS**

Any property consigned to the surplus program is available for transfer to city agencies on a first-come, first-serve basis. Property not transferred to other city agencies shall be otherwise disposed of in a manner consistent with city ordinance and property management techniques.

City agencies shall notify the Recorder's Office when personal property is acquired with grant funds and must ensure that personal property acquired with grant funds is disposed of in accordance with grant requirements.

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Personal property consigned to surplus generally shall not be held longer than 60 days. If# property is determined to be not saleable, it may be cannibalized, scrapped, or discarded if determined to be of no value by the Recorder or designee.

#### **407.8 CONDUCT OF SALES**

- (a) All sales will be conducted under the delegated authority of the City Recorder's office. Sales will be conducted in an open manner consistent with city ordinances, good business practices, and generally accepted accounting principles.
- (b) The City Recorder, in accordance with city ordinances, shall approve all sales of surplus property.
- (c) The Department head or Elected official of the surplus property will provide the Recorder's office with a final, approved list of items scrapped or otherwise discarded. This list will include fixed asset property number, description, serial number if applicable, sales price, and disposition date.
- (d) All sales will be considered final, with no guarantees or warranties of any kind as to the actual condition or function of the equipment sold. All surplus property shall be sold "As-Is, Where Is". It shall be the responsibility of the buyer to provide all services necessary to de-install, package, remove, and transport the equipment, at buyers' expense.
- (e) All property purchased at a surplus sale will be promptly paid for by cash or by certified funds.
- (f) No property will be released to any buyer at any surplus property sale, regardless of the type of sale, until the city has received the agreed-upon consideration, in the form of cash or certified funds.
- (g) Negotiated sales
  1. The city will give due consideration to any offer to purchase surplus property made by a potential buyer. Such an offer may be tendered at any time other than in response to a sealed bid solicitation, or an auction.
  2. Such offers, however, will normally be for equipment of a relatively specialized nature, which the general public would not ordinarily purchase.
  3. The City Recorder must approve such purchases in advance, and the offer must represent a full and fair market value for the equipment.
  4. The decision as to which items may be sold by negotiated sale is the sole province of the City Recorder, in accordance with city ordinance, subject to the approval of the Mayor.
- (h) In any instance where city property is to be disposed of by trading it in on the purchase # of new equipment, the trade-in will be treated as any other transfer of property, and a transfer form will be initiated, signed, and the original copy forwarded to the Recorder's office.
- (i) Payback policy on sales proceeds

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#### *RC Surplus Property Disposition, Transfer, Internal Sale*

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1. "Property Disposal", sales proceeds will generally be deposited to the general fund, or other funds as required by State statutes or other governing regulations.
  2. The proceeds from the sale of any surplus property, which was originally purchased by a city agency having an independent revenue base, or an account separate from the general fund, shall be deposited to that agency's account, and not the general fund.# The City Recorder upon receipt of bid, auction or other sales lists will distribute, via journal voucher, the proceeds of the sale.
- (j) Participation of city employees in property sales
1. City employees shall be permitted to participate in the purchase of city surplus personal property, only in the same manner as the public-at-large, except that no city employee shall be given any consideration or privilege in any such sale that might be construed as giving him an advantage in obtaining any surplus property.# City employees may purchase scrap upon approval of the applicable Department Head and the City Recorder.

#### **407.9 EXCEPTIONS TO POLICY**

Firearms shall not be subject to this policy. There shall be no other exceptions to this policy, except as may be granted by City Manager.

## **Chapter 5 - Records and Documents**

## Records Maintenance and Release

### 500.1 PURPOSE AND SCOPE

This policy provides guidance on the maintenance and release of city records. Protected information is separately covered in the Protected Information Policy.

### 500.2 POLICY

The City is committed to providing public access to records in a manner that is consistent with state public records laws.

### 500.3 CITY RECORDER

The Mayor and Council shall appoint designate a City Recorder. The responsibilities of the City Recorder include but are not limited to:

- (a) Managing the records management system for the City, including the retention, archiving, release, and destruction of city public records.
- (b) Maintaining and updating the city records retention schedule, including:
  1. Identifying the minimum length of time records must be kept.
  2. Identifying the city agency responsible for the original record.
- (c) Establishing rules regarding the inspection and copying of public records as reasonably necessary for the protection of such records.
- (d) Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.
- (e) Establishing rules regarding the processing of subpoenas for the production of records.
- (f) Ensuring the availability of a current schedule of fees for public records as allowed by law.
- (g) Preparing and making available to the public the records request process, to include the cost of inspecting or obtaining copies.

### 500.4 PROCESSING REQUESTS FOR PUBLIC RECORDS

Any employee who receives a request for any record shall route the request to the City Recorder or the authorized designee.

#### 500.4.1 REQUESTS FOR RECORDS

The processing of requests for any record is subject to the following:

- (a) All requests should be made in writing or on a form supplied by the City.
- (b) Clarification may be sought if the request is unreasonably broad or unclear.
- (c) Inspection of records should be during regular business hours unless otherwise authorized by the City Recorder.

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- (d) Records should be made available in a format readily accessible to the requester. Records may also be made available in a specific format requested and a fee charged for reasonable costs of any required processing.
- (e) Records should be provided, or a denial provided to a requester within a reasonable period of time.
  - 1. If a delay in providing records is anticipated, the requester should be provided a written response with the reason for the delay and the anticipated date the records will be provided.
- (f) Fees should be charged as allowed by law and established by the City.
- (g) The City is not required to create records that do not exist.
- (h) When a record contains material with release restrictions and material that is not subject to release restrictions, the restricted material shall be redacted, and the unrestricted material released.
  - 1. A copy of the redacted release should be maintained in the city file for proof of what was actually released and as a place to document the reasons for the redactions. If the record is audio or video, a copy of the redacted audio/video release should be maintained in the city-approved media storage system and a notation should be made in the file to document the release and the reasons for the redacted portions.

#### **500.4.2 DENIALS**

The denial of a request for records should be documented and include:

- (a) A description of the records requested.
- (b) The specific reasons for the denial.
- (c) The name, title, and signature of the City Recorder.
- (d) The procedure to appeal the denial.

#### **500.5 RELEASE RESTRICTIONS**

Examples of release restrictions include but are not limited to:

- (a) Any personal identifying information, including an individual's photograph; Social Security and driver identification numbers; name, address, and telephone number; and medical or disability information that is contained in any city record, except as authorized by the City, and only when such use or disclosure is permitted or required by law to carry out a legitimate government purpose.
- (b) Certain personnel information, including but not limited to an employee's residential address and telephone number, Social Security number, marital status, medical history, confidential recommendations for employment, and performance evaluation history.
- (c) Records pertaining to internal investigations and disciplinary matters, including but not limited to complaints and other records relating to allegations of discrimination,

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#### *Records Maintenance and Release*

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harassment, or retaliation, until the investigation is complete or is made part of the official record of any hearing or court proceeding.

- (d) Certain 9-1-1 records.
- (e) Audio and video recordings obtained through use of body-worn cameras by law enforcement officers, except as provided by statute.
- (f) Certain concealed firearm license/permit information of an applicant.
- (g) Records concerning security plans, procedures, assessments, measures, or systems, and other records relating to the security of persons, structures, facilities, infrastructure, or information technology systems that could reasonably be expected to be detrimental to the public's safety or welfare.
- (h) Records pertaining to strategy or negotiations related to labor relations, employment contracts, or collective bargaining and related arbitration proceedings.
- (i) Drafts, notes, recommendations, or intra-governmental memorandums pertaining to the development of resolutions, regulations, statements of policy, management directives, ordinances, or amendments prepared by or for the City.
- (j) Records where disclosure would be detrimental to the best interests of the public.
- (k) Records pertaining to pending or potential litigation that are not records of any court.
- (l) Any other information that may be appropriately denied by federal or state law.

#### **500.6 SUBPOENAS AND DISCOVERY REQUESTS**

Any employee who receives a subpoena duces tecum or discovery request for records should promptly contact a supervisor and the City Recorder for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information.

Generally, discovery requests and subpoenas should be referred to the City Manager or the authorized designee.

All questions regarding compliance with any subpoena duces tecum or discovery request should be promptly referred to the City Manager or legal counsel so that a timely response can be prepared.

#### **500.7 RELEASED RECORDS TO BE MARKED**

Each page of any written record released pursuant to this policy should be stamped in a colored ink or otherwise marked to indicate the city name and to whom the record was released.

Each audio/video recording released should include the city name and to whom the record was released.

#### **500.8 SECURITY BREACHES**

Employees who become aware that any city records system may have been breached should notify the City Recorder as soon as practicable.

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The City Recorder shall ensure any required notice of the breach is given.

If the breach reasonably appears to have been made to protected information covered in the Protected Information Policy, the City Recorder should promptly notify the appropriate employee designated to oversee the security of protected information (see the Protected Information Policy).

#### **500.9 EXPUNGEMENT**

The City Recorder shall review all court orders and other filings that pertain to the expungement or sealing of records for appropriate action. Once a record is expunged or sealed, employees shall respond to any inquiry as though the record did not exist.

#### **500.10 TRAINING**

Employees authorized to manage, release, or facilitate public access to city records should receive training that includes identification of material appropriate for release or public access and the city systems and procedures guiding such release and access.

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## Protected Information

### 501.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the access, transmission, release, and security of protected information by employees of the City. This policy addresses the protected information that is used in the day-to-day operation of the City and not the public records information covered in the Records Maintenance and Release Policy.

#### 501.1.1 DEFINITIONS

Definitions related to this policy include:

**Protected information** - Any information or data that is collected, stored, or accessed by employees of the City and is subject to any access or release restrictions imposed by law, regulation, order, or use agreement. This includes all information contained in federal, state, or local databases that is not accessible to the public.

### 501.2 POLICY

Employees of the City will adhere to all applicable laws, orders, regulations, use agreements, and training related to the access, use, dissemination, and release of protected information.

### 501.3 RESPONSIBILITIES

The City Recorder should designate an employee of the City to coordinate the use of protected information, including:

- (a) Overseeing employee compliance with this policy and with requirements applicable to protected information.
- (b) Developing, disseminating, and maintaining procedures necessary to comply with any requirements for the access, use, dissemination, release, and security of protected information.
- (c) Developing procedures to ensure training and certification requirements are met.
- (d) Resolving specific questions that arise regarding authorized recipients of protected information.
- (e) Implementing security practices and procedures to comply with requirements applicable to protected information.

### 501.4 ACCESS TO PROTECTED INFORMATION

Protected information shall not be accessed in violation of any law, order, regulation, use agreement, city policy, or training. Only those employees who have completed applicable training and met any applicable requirements, such as a background check, may access protected information, and only when the employee has a legitimate work-related reason for such access.

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited.

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#### **501.5 RELEASE OR DISSEMINATION OF PROTECTED INFORMATION**

Protected information may be released only to authorized recipients who have both a lawful right to know and need to know.

An employee who is asked to release protected information that should not be released should refer the requesting person to a supervisor or to the City Recorder for information regarding a formal request.

#### **501.6 SECURITY OF PROTECTED INFORMATION**

The City Recorder should designate an employee of the City to oversee the security of protected information, including:

- (a) Developing and maintaining security practices, procedures, and training.
- (b) Maintaining compliance with any federal, state, and local requirements pertaining to the security of protected information.
- (c) Establishing procedures to provide for the preparation, prevention, detection, analysis, and containment of security incidents, including cyberattacks.
- (d) Tracking, documenting, and reporting all breach of security incidents to the City Manager and appropriate authorities.

##### **501.6.1 EMPLOYEE RESPONSIBILITIES**

Employees accessing or receiving protected information shall ensure the information is not accessed or received by persons who are not authorized to access or receive it. This includes not leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended table or desk, in or on an unattended vehicle, in an unlocked desk drawer or file cabinet, on an unattended computer terminal).

#### **501.7 TRAINING**

All employees authorized to access or release protected information shall complete a training program that complies with any protected information system requirements and identifies authorized access and use of protected information, as well as its proper handling and dissemination.

## Personnel Records

### 502.1 PURPOSE AND SCOPE

This policy governs maintenance and access to personnel records. Personnel records include any file maintained under an individual employee's name.

### 502.2 POLICY

It is the policy of the City to maintain personnel records and preserve the confidentiality of personnel records pursuant to the Constitution and the laws of this state.

### 502.3 PERSONNEL FILE

A personnel file shall be maintained as a record of a person's employment/appointment with this city. The personnel file should contain, at a minimum:

- (a) Personal data, including photographs, marital status, names of family members, educational and employment history, or similar information.
- (b) Election of employee benefits.
- (c) Personnel action reports reflecting assignments, promotions, and other changes in employment/appointment status.
- (d) Original performance evaluations.
- (e) Discipline records, including copies of sustained personnel complaints.
- (f) Adverse comments such as supervisor notes or memos may be retained in the city file after the employee has had the opportunity to read and initial the comment.
  - 1. Once an employee has had an opportunity to read and initial any adverse comment, the employee shall be given the opportunity to respond in writing to the adverse comment.
  - 2. Any employee response shall be attached to and retained with the original adverse comment.
  - 3. If an employee refuses to initial or sign an adverse comment, at least one supervisor should note the date and time of such refusal on the original comment. Such a refusal, however, shall not be deemed insubordination, nor shall it prohibit the entry of the adverse comment into the employee's file.
- (g) Commendations and awards.
- (h) Any other information, the disclosure of which would constitute an unwarranted invasion of personal privacy.

### 502.4 DEPARTMENT, DIVISION, OR AGENCY FILE

Agency files may be separately maintained internally by an employee's supervisor for the purpose of completing timely performance evaluations. The file may contain supervisor comments, notes, notices to correct, and other materials that are intended to serve as a foundation for the completion of timely performance evaluations.

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##### **502.5 TRAINING FILE**

An individual training file should be maintained for each employee whose position requires specialized training or certification. Training files should contain records of all training; original or photocopies of available certificates, transcripts, diplomas, and other documentation; and education and firearms qualifications, as applicable. Training records may also be created and stored remotely, either manually or automatically.

- (a) The involved employee is responsible for providing an immediate supervisor with evidence of completed training/education in a timely manner.
- (b) Supervisors should ensure that copies of such training records are placed in the employee's training file.

##### **502.6 MEDICAL FILE**

A medical file shall be maintained separately from all other personnel records and shall contain all documents relating to the employee's medical condition and history, including but not limited to

- (a) Materials relating to a medical leave of absence, including leave under the Family and Medical Leave Act (FMLA).
- (b) Documents relating to workers' compensation claims or the receipt of short- or long-term disability benefits.
- (c) Fitness-for-duty examinations, psychological and physical examinations, follow-up inquiries, and related documents.
- (d) Medical release forms, doctor's slips, and attendance records that reveal an employee's medical condition.
- (e) Any other documents or materials that reveal the employee's medical history or medical condition, including past, present, or future anticipated mental, psychological, or physical limitations.

##### **502.7 SECURITY**

Personnel records should be maintained in a secured location and locked either in a cabinet or access-controlled room. Personnel records maintained in an electronic format should have adequate password protection.

Personnel records are subject to disclosure only as provided in this policy, the Records Maintenance and Release Policy, or according to applicable discovery procedures.

Nothing in this policy is intended to preclude review of personnel records by the City Manager or representatives of the City in connection with official business.

###### **502.7.1 REQUESTS FOR DISCLOSURE**

Any employee receiving a request for a personnel record shall promptly notify the City Recorder or other person charged with the maintenance of such records.

Upon receipt of any such request, the responsible person shall notify the affected employee as soon as practicable that such a request has been made.

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The responsible person shall further ensure that an appropriate response to the request is made in a timely manner, consistent with applicable law. In many cases, this may require assistance of available legal counsel.

All requests for disclosure that result in access to an employee's personnel records shall be logged in the corresponding file.

#### **502.8 EMPLOYEES' ACCESS TO THEIR PERSONNEL RECORDS**

Employees may request access to their own personnel records during the normal business hours of those responsible for maintaining such files. Employees seeking the removal of any item from their personnel records should file a written request to the City Manager. The City should remove any such item if appropriate, or within 30 days provide the employee with a written explanation of why the contested item will not be removed. If the contested item is not removed from the file, the employee's request and the written response from the City should be retained with the contested item in the employee's corresponding personnel record.

Employees may be restricted from accessing files containing certain information (e.g., ongoing investigations to the extent that it could jeopardize or compromise the investigation).

#### **502.9 RETENTION AND PURGING**

Personnel records shall be maintained in accordance with the established records retention schedule:

- (a) During the preparation of each employee's performance evaluation, all personnel complaints and disciplinary actions should be reviewed to determine the relevancy, if any, to progressive discipline, training, and career development. Each supervisor responsible for completing the employee's performance evaluation should determine whether any prior sustained disciplinary file should be retained beyond the required period for reasons other than pending litigation or other ongoing legal proceedings.
- (b) If a supervisor determines that records of prior discipline should be retained beyond the required period, approval for such retention should be obtained from the City Manager.
- (c) If, in the opinion of the City Manager, a personnel complaint or disciplinary action maintained beyond the required retention period is no longer relevant, all records of such matter may be destroyed in accordance with the established records retention schedule.

## **Chapter 6 - Personnel**

## Recruitment and Selection

### 600.1 PURPOSE AND SCOPE

This policy provides a framework for employee recruiting efforts and identifying job-related standards for the selection process. This policy supplements other city rules governing employment practices.

### 600.2 POLICY

In accordance with applicable federal, state, and local law, the City provides equal opportunities for applicants and employees, regardless of actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law. The City does not show partiality or grant any special status to any applicant, employee, or group of employees unless otherwise required by law.

The City will recruit and hire only those individuals who demonstrate a commitment to service and who possess the traits and characteristics that reflect personal integrity and high ethical standards.

### 600.3 RECRUITMENT

The City Manager or authorized designee should employ a comprehensive recruitment and selection strategy to recruit and select employees from a qualified and diverse pool of candidates.

The strategy should include:

- (a) Identification of racially and culturally diverse target markets.
- (b) Use of marketing strategies to target diverse applicant pools.
- (c) Expanded use of technology and maintenance of a strong internet presence. This may include an interactive city website and the use of city-managed social networking sites, if resources permit.
- (d) Expanded outreach through partnerships with media, community groups, local colleges, universities, and the military.
- (e) Posting and outreach within the City for internal candidates, when applicable and/or required.
- (f) Use of local, state, or national professional organizations (e.g., National League of Cities, National Association of Counties, American Society for Public Administration).

The City should avoid advertising, recruiting, and screening practices that tend to stereotype, focus on homogeneous applicant pools, or screen applicants in a discriminatory manner.

The City strives to facilitate and expedite the interview and selection process, and should periodically inform candidates of their status in the recruiting process.

### 600.4 SELECTION PROCESS

The City should actively strive to identify a diverse group of candidates who have in some manner distinguished themselves as being outstanding prospects. Minimally, the City should employ a

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comprehensive screening, background investigation, and selection process that assesses the candidates' aptitude for the position and may include review and verification of the following:

- (a) A comprehensive application for employment (including previous employment, references, current and prior addresses, education, and military record)
- (b) Driving record (if applicable to the position)
- (c) Reference checks
- (d) Employment eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents. This required documentation should not be requested until a candidate is hired. This does not prohibit obtaining documents required for other purposes.
- (e) Information obtained from public internet sites
- (f) Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)
- (g) Local, state, and federal criminal history record checks
- (h) Medical and/or psychological examination, as applicable and legally permissible (may only be given after a conditional offer of employment)
- (i) Review board or selection committee assessment

See attached:

- [New Hire Employee Packet - Fillable PDF](#)
- [Rehire Employee Packet - Fillable PDF](#)

#### 600.4.1 VETERAN PREFERENCE

The City will provide any veteran preference required by law.

#### **600.5 BACKGROUND INVESTIGATION**

Every candidate may be required to undergo a background investigation to verify the candidate's application information and ability to perform duties relevant to the position.

#### 600.5.1 NOTICES

Background investigators should ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA and applicable state law (15 USC § 1681d).

#### 600.5.2 REVIEW OF SOCIAL MEDIA SITES

Due to the potential for accessing unsubstantiated, private, or protected information, the City should not require candidates to provide passwords, account information, or access to password-protected social media accounts.

The City may consider utilizing the services of an appropriately trained and experienced third party to conduct open source, internet-based searches and/or review information from social media sites to ensure that:

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- (a) The legal rights of candidates are protected.
- (b) Material and information to be considered are verified, accurate, and validated.
- (c) The City fully complies with applicable privacy protections and local, state, and federal law.

Regardless of whether a third party is used, the City Manager or the authorized designee should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

#### **600.5.3 RECORDS RETENTION**

The background report and all supporting documentation should be maintained in accordance with the established records retention schedule.

#### **600.5.4 DOCUMENTING AND REPORTING**

The background investigator should summarize the results of the background investigation in a report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment. The report should not include any information that is prohibited from use, including that from social media sites, in making employment decisions. The report and all supporting documentation should be included in the candidate's background investigation file.

#### **600.6 EMPLOYMENT STANDARDS**

All candidates shall meet any minimum standards required by state and local law. Candidates will be evaluated based on merit, ability, competence, and experience, in accordance with the high standards of integrity and ethics valued by the City and the community.

Validated, job-related, and nondiscriminatory employment standards should be established and maintained for each job classification and should minimally identify the training, abilities, knowledge, and skills required to perform the position's essential duties in a satisfactory manner. Each standard should include performance indicators for candidate evaluation.

#### **600.7 JOB DESCRIPTIONS**

The City Manager or the authorized designee should maintain a current job description for each position in the City.

#### **600.8 PROBATIONARY PERIODS**

Positions other than appointments are subject to a 6 month minimum probationary period. The City Manager or the authorized designee should coordinate with supervisors to identify probationary procedures for:

- (a) Appraising performance during probation.
- (b) Assessing the level of performance required to complete probation.
- (c) Extending probation.
- (d) Documenting successful or unsuccessful completion of probation.

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#### **600.9 RELOCATION AND MOVING EXPENSE REIMBURSEMENT**

The purpose of this policy is to offer relocation expenses for eligible employees who accept a job at Roosevelt City. This policy will cover eligible employees who are hired, and required to move for their jobs. For positions with a classification of division manager or above, the newly hired employee will be eligible for \$4,000 to cover the cost of their relocation. For positions with a classification lower than division manager, the newly hired employee will be eligible for \$1,500 to cover the cost of their relocation. Only full-time employees are eligible for the reimbursement. The Roosevelt City Manager will approve all moving expense requests to verify candidates meet the eligibility requirements and are actually required to move for their job. This policy will be effective retroactively from July 1, 2020.

# Performance Evaluations

## 601.1 PURPOSE AND SCOPE

This policy provides guidelines for the City performance evaluation system.

## 601.2 POLICY

The City shall use a performance evaluation system to measure, document, and recognize work performance. The performance evaluation will serve as an objective guide for the recognition of good work and the development of a process for improvement.

The City evaluates employees in a nondiscriminatory manner based upon job-related factors specific to the employee's position, without regard to actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

## 601.3 TYPES OF EVALUATIONS

The City shall use the following types of evaluations:

**Regular** - An evaluation completed at regular intervals by the employee's immediate supervisor. Each employee will be evaluated annually one month before the fiscal year.

When an employee transfers to a different assignment in the middle of an evaluation period and less than six months has transpired since the transfer, the evaluation should be completed by the current supervisor with input from the previous supervisor.

**Special** - An evaluation that may be completed at any time the supervisor and City Manager or the authorized designee determine an evaluation is necessary to address less than standard performance. The evaluation may include a plan for follow-up action (e.g., performance improvement plan (PIP), remedial training, retraining).

See attached: [Personnel Order](#)

### 601.3.1 RATINGS

When completing an evaluation, the supervisor will identify the rating category that best describes the employee's performance. The definition of each rating category is as follows:

**Outstanding** - Performance is well beyond that required for the position. It is exceptional performance, definitely superior or extraordinary.

**Exceeds standards** - Performance is better than demonstrated by a competent employee. It is performance superior to what is required, but is not of such nature to warrant a rating of outstanding.

**Meets standards** - Performance of a competent employee. It is satisfactory performance that meets the standards required of the position.

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**Needs improvement** - Performance is less than the standards required of the position. A needs improvement rating shall be thoroughly discussed with the employee.

**Unsatisfactory** - Performance is inferior to the standards required of the position. It is inadequate or undesirable performance that cannot be allowed to continue.

Supervisor comments may be included in the evaluation to document the employee's strengths, weaknesses, and requirements for improvement. Any job dimension rating marked as unsatisfactory or outstanding shall be substantiated with supervisor comments.

#### 601.3.2 PERFORMANCE IMPROVEMENT PLAN

Employees who receive an unsatisfactory rating may be subject to a PIP. The PIP shall delineate areas that need improvement, any improvement measures, and a timetable in which to demonstrate improvement. The issuing supervisor shall meet with the employee to review the employee's performance and the status of the PIP at least monthly.

See attached: [Roosevelt City Personal Improvement Plan](#)

#### 601.4 EVALUATION PROCESS

Supervisors should meet with the employees they supervise at the beginning of the evaluation period to discuss expectations and establish performance standards. Each supervisor should discuss the tasks of the position, standards of expected performance, and the evaluation criteria with each employee.

Performance evaluations cover a specific period and should be based upon documented performance dimensions that are applicable to the duties and authorities granted to the employee during that period. Evaluations should be completed by each employee's immediate supervisor. Other supervisors directly familiar with the employee's performance during the rating period should be consulted by the evaluating supervisor for input.

Assessment of an employee's job performance is an ongoing process. Continued coaching and feedback provides supervisors and employees with opportunities to correct performance issues as they arise and to acknowledge good work. Periodic discussions with the employee during the course of the evaluation period are encouraged. Supervisors should document all discussions in the prescribed manner.

Non-probationary employees demonstrating substandard performance shall be notified in writing as soon as possible in order to have an opportunity to remediate the issues. Such notification should occur at the earliest opportunity, with the goal being a minimum of 90 days' written notice prior to the end of the evaluation period.

All supervisors shall receive training on performance evaluations within one year of a supervisory appointment.

See attached: Evaluation Form

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##### **601.4.1 PERFORMANCE PAY ADJUSTMENT**

Employees who receive a rating of "Exceeds Standards or Outstanding" will be eligible for an annual increase that year. All performance adjustment/increases are subject to approval by the governing body.

##### **601.5 EVALUATION FREQUENCY**

Supervisors shall evaluate all employees they supervise at least once every year one month before the fiscal year.

Employees subject to a probationary period should be evaluated monthly. (Monthly Evaluation form)

##### **601.6 EVALUATION INTERVIEW**

When the supervisor has completed an evaluation, a private discussion of the evaluation should be scheduled with the employee. The supervisor should discuss the evaluation ratings and respond to any questions the employee may have. The supervisor should provide relevant counseling regarding advancement, specialty positions, and training opportunities. Any performance areas in need of improvement and goals for reaching the expected level of performance should be identified and discussed. If the employee has reasonable objections to any of the ratings, the supervisor may make appropriate adjustments to the evaluation. The reason for such adjustments shall be documented.

Employees may write comments in an identified section of the evaluation. The supervisor and employee will sign and date the evaluation.

##### **601.6.1 DISCRIMINATORY HARASSMENT FORM**

The supervisor shall provide access to and require the employee to read the City Discriminatory Harassment Policy.

- (a) The employee understands the policy.
- (b) The employee has had all questions regarding the policy sufficiently addressed.
- (c) The employee knows how to report alleged harassment and discrimination policy violations.
- (d) Whether the employee has been the subject of, or witness to, any unreported conduct that may violate the policy.

If the employee has expressed any questions or concerns, the supervisor or other authorized individual shall ensure that appropriate follow-up action is taken. The acknowledgement of this policy will be done through Lexipol.

##### **601.7 APPEAL**

An employee who disagrees with an evaluation may provide a formal written response that will be attached to the evaluation, or may request an appeal.

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To request an appeal, the employee shall forward a written memorandum within three days to the City Manager or the authorized designee. The memorandum shall identify the specific basis for the appeal and include any relevant information for the reviewer to consider.

#### **601.8 CHAIN OF REVIEW**

The signed performance evaluation and any employee attachment should be forwarded to the City Manager or the authorized designee(s). The City Manager or the authorized designee(s) shall review the evaluation for fairness, impartiality, uniformity, and consistency, and shall consider any written response or appeal made by the employee.

The City Manager or the authorized designee(s) should evaluate the supervisor on the quality of ratings given.

#### **601.9 RETENTION AND DISTRIBUTION**

The original performance evaluation and any original correspondence related to an appeal shall be maintained in accordance with the Personnel Records Policy.

A copy of the evaluation and any documentation of a related appeal shall be provided to the employee.

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# Discriminatory Harassment

## 602.1 PURPOSE AND SCOPE

The purpose of this policy is to prevent city employees from being subjected to discriminatory harassment, including sexual harassment and retaliation. Nothing in this policy is intended to create a legal or employment right or duty that is not created by law.

## 602.2 POLICY

The City is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation. The City will not tolerate discrimination against an employee in hiring, promotion, discharge, compensation, fringe benefits, and other privileges of employment. The City will take preventive and corrective action to address any behavior that violates this policy or the rights and privileges it is designed to protect.

The nondiscrimination policies of the City may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject an employee to discipline.

## 602.3 DEFINITIONS

Definitions related to this policy include:

### 602.3.1 DISCRIMINATION

The City prohibits all forms of discrimination, including any employment-related action by an employee that adversely affects an applicant or employee and is based on actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual's protected class. It has the effect of interfering with an individual's work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment can include making derogatory comments; making crude and offensive statements or remarks; making slurs or off-color jokes; stereotyping; engaging in threatening acts; making indecent gestures, pictures, cartoons, posters, or material; making inappropriate physical contact; or using written material or city equipment and/or systems to transmit or receive offensive material, statements, or pictures. Such conduct is contrary to city policy and to a work environment that is free of discrimination.

### 602.3.2 RETALIATION

Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because the person has engaged in protected activity, filed a charge of discrimination,

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participated in an investigation, or opposed a discriminatory practice. Retaliation will not be tolerated.

#### 602.3.3 SEXUAL HARASSMENT

The City prohibits all forms of discrimination and discriminatory harassment, including sexual harassment. It is unlawful to harass an applicant or an employee because of that person's sex.

Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature when:

- (a) Submission to such conduct is made either explicitly or implicitly as a term or condition of employment, position, or compensation.
- (b) Submission to, or rejection of, such conduct is used as the basis for any employment decisions affecting the employee.
- (c) Such conduct has the purpose or effect of substantially interfering with an employee's work performance or creating an intimidating, hostile, or offensive work environment.

#### 602.3.4 ADDITIONAL CONSIDERATIONS

Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles, or standards, including:

- (a) Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission and any related state agency guidelines.
- (b) Bona fide requests or demands by a supervisor that an employee improve work quality or output, that the employee report to the job site on time, that the employee comply with City or agency rules or regulations, or any other appropriate work-related communication between supervisor and employee.

#### 602.4 RESPONSIBILITIES

This policy applies to all city employees and elected officials, who shall follow the intent of these guidelines in a manner that reflects city policy, professional standards, and the best interest of the City and its mission.

Employees and elected officials are encouraged to promptly report any discriminatory, retaliatory, or harassing conduct or known violations of this policy to a supervisor. Any employee who is not comfortable with reporting violations of this policy to an immediate supervisor may make the report to a higher-ranking supervisor or manager. Complaints may also be filed with Human Resources or the City Manager.

Any employee who believes, in good faith, that the employee has been discriminated against, harassed, or subjected to retaliation, or who has observed harassment, discrimination, or retaliation, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.

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Supervisors and managers receiving information regarding alleged violations of this policy shall determine if there is any basis for the allegation and shall proceed with a resolution as stated below.

##### **602.4.1 QUESTIONS OR CLARIFICATION**

Employees with questions regarding what constitutes discrimination, sexual harassment, or retaliation are encouraged to contact a supervisor, a manager, Human Resources or the City Manager for further information, direction, or clarification.

##### **602.4.2 SUPERVISOR RESPONSIBILITIES**

The responsibilities of supervisors and managers shall include but are not limited to:

- (a) Continually monitoring the work environment and striving to ensure that it is free from all types of unlawful discrimination, including harassment or retaliation.
- (b) Taking prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment, or retaliation.
- (c) Ensuring that their subordinates understand their responsibilities under this policy.
- (d) Ensuring that employees who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.
- (e) Making a timely determination regarding the substance of any allegation based upon all available facts.
- (f) Notifying the City Manager or Human Resources in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment, or retaliation no later than the next business day.

##### **602.4.3 SUPERVISOR'S ROLE**

Supervisors and managers shall be aware of the following:

- (a) Behavior of supervisors and managers should represent the values of the City and professional standards.
- (b) False or mistaken accusations of discrimination, harassment, or retaliation can have negative effects on the careers of innocent employees.

Nothing in this section shall be construed to prevent supervisors or managers from discharging supervisory or management responsibilities, such as determining assignments, evaluating, or counseling employees, or issuing discipline in a manner that is consistent with established procedures.

##### **602.5 INVESTIGATION OF COMPLAINTS**

Various methods of resolution exist. During the pendency of any such investigation, the supervisor of the accused employee should take prompt and reasonable steps to mitigate or eliminate any continuing abusive or hostile work environment. All complaints of discrimination, retaliation, or harassment should be fully documented and promptly and thoroughly investigated.

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##### 602.5.1 SUPERVISORY RESOLUTION

Employees who believe they are experiencing discrimination, harassment, or retaliation should be encouraged to inform the individual that the behavior is unwelcome, offensive, unprofessional, or inappropriate. However, if the employee feels uncomfortable or threatened or has difficulty expressing the employee's concern, or if this does not resolve the concern, assistance should be sought from a supervisor or manager who is a rank higher than the alleged transgressor.

##### 602.5.2 FORMAL INVESTIGATION

If the complaint cannot be satisfactorily resolved through the supervisory resolution process, a formal investigation will be conducted.

The person assigned to investigate the complaint will have full authority to investigate all aspects of the complaint. Investigative authority includes access to records and the cooperation of any employees involved. No influence will be used to suppress any complaint and no employee will be subject to retaliation or reprisal for filing a complaint, encouraging others to file a complaint, or for offering testimony or evidence in any investigation.

Formal investigation of the complaint will be confidential to the extent possible and will include but is not limited to details of the specific incident, frequency and dates of occurrences, and names of any witnesses. Witnesses will be advised regarding the prohibition against retaliation, and that a disciplinary process, up to and including termination, may result if retaliation occurs.

Employees who believe they have been discriminated against, harassed, or retaliated against because of their protected status are encouraged to file a complaint with their immediate supervisor but may also file a complaint directly with Human Resources or the City Manager.

##### 602.5.3 ALTERNATIVE COMPLAINT PROCESS

No provision of this policy shall be construed to prevent any employee from seeking legal redress outside the City. Employees who believe that they have been harassed, discriminated, or retaliated against are entitled to bring complaints of employment discrimination to federal, state, and/or local agencies responsible for investigating such allegations. Specific time limitations apply to the filing of such charges. Employees are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.

#### **602.6 DOCUMENTATION OF COMPLAINTS**

All complaints or allegations shall be thoroughly documented on the appropriate forms and in a manner designated by the City Manager. The outcome of all reports shall be:

- (a) Approved by the City Manager and City Attorney.
- (b) Maintained in accordance with the established records retention schedule.

##### 602.6.1 NOTIFICATION OF DISPOSITION

The complainant and/or victim will be notified in writing of the disposition of the investigation and the actions taken to remedy or address the circumstances giving rise to the complaint.

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##### **602.7 TRAINING**

All new employees shall be provided with a copy of this policy as part of their orientation. The policy shall be reviewed with each new employee. The employee shall certify by signing the prescribed form that the employee has been advised of this policy, is aware of and understands its contents, and agrees to abide by its provisions during the employee's term with the City.

All employees shall receive annual training on the requirements of this policy and shall certify by signing the prescribed form that they have reviewed the policy, understand its contents, and agree that they will continue to abide by its provisions.

## Grievances

### 603.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the city grievance process. The grievance process is intended to facilitate communication and to promptly and equitably address employee grievances in the workplace.

#### 603.1.1 GRIEVANCE DEFINED

A grievance is a difference of opinion or dispute regarding the meaning, interpretation, or application of any of the following:

- Current employment agreements
- This Policy Manual
- Rules and regulations governing personnel practices or working conditions
- Workplace issues that do not amount to misconduct such as fraud, waste, abuse of authority, gross mismanagement, or any inappropriate conduct or practices, including violations that may pose a threat to the health, safety, or well-being of members

Specifically outside the category of grievances are complaints related to allegations of discrimination or harassment subject to the Discriminatory Harassment Policy. Also outside the category of grievances are personnel complaints regarding any allegation of misconduct or improper job performance against any city employee that, if true, would constitute a violation of city policy or federal, state, or local law.

### 603.2 POLICY

It is the policy of the City to provide a just and equitable process for the prompt handling of employee grievances without discrimination, coercion, restraint, or retaliation against any employee who submits or is otherwise involved in a grievance.

### 603.3 PROCESS

Grievances may be brought by an individual employee or by an employee group representative. Employees may have representation during the grievance process.

Except as otherwise required under current employment agreements, if an employee wishes to initiate a grievance as defined above, that employee shall:

- (a) Attempt to resolve the issue through informal discussion with the employee's immediate supervisor.
- (b) If after a reasonable amount of time, generally seven days, the grievance cannot be settled by the immediate supervisor, the employee may request an interview with the Human Resource Manager.
- (c) If a successful resolution is not found with the head of the Human Resource Manager, the employee may request a meeting with the City Manager.

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#### *Grievances*

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- (d) If the employee and the City Manager are unable to arrive at a mutual solution, the employee shall proceed as follows:
  - 1. Submit a written statement of the grievance to the City Manager and provide a copy to the employee's immediate supervisor.
  - 2. Include the following information in the written statement:
    - (a) The basis for the grievance.
    - (b) The allegation of any specific wrongful act and the harm done.
    - (c) The specific policies, rules, or regulations at issue.
    - (d) The remedy or goal being sought by the grievance.
- (e) The supervisor shall provide the employee with a signed acknowledgment of the grievance that shall include the date and time of receipt.
- (f) The City Manager should review the grievance and respond to the employee within a reasonable period of time.
  - 1. The response will be in writing, and will affirm or deny the allegations.
  - 2. The response shall include any remedies, if appropriate.
  - 3. The decision of the City Manager is considered final.

#### **603.4 GRIEVANCE RECORDS**

At the conclusion of the grievance process, all documents pertaining to the process shall be forwarded to the City Manager or the authorized designee for inclusion in a secure file for all written grievances.

#### **603.5 POLICY OR TRAINING IMPLICATIONS**

If an employee who participates in the grievance review process identifies any issue that may warrant an immediate revision to this Policy Manual, a procedural change, or an immediate training need, the employee should promptly notify the City Manager in the memorandum.

#### **603.6 GRIEVANCE AUDITS**

The City Manager should designate an employee to perform an annual audit of all grievances filed the previous calendar year to evaluate whether any change in policy, procedure, or training may be appropriate to avoid future grievances. The evaluation should be documented in a confidential memorandum to the City Manager without including any identifying information about any individual grievance.

## Anti-Retaliation

### 604.1 PURPOSE AND SCOPE

This policy prohibits retaliation against employees who identify workplace issues, such as fraud, waste, abuse of authority, gross mismanagement, or any inappropriate conduct or practices, including violations that may pose a threat to the health, safety, or well-being of employees.

This policy does not prohibit actions taken for nondiscriminatory or non-retaliatory reasons, such as discipline for cause.

These guidelines are intended to supplement and not limit employees' access to other applicable remedies. Nothing in this policy shall diminish the rights or remedies of an employee pursuant to any applicable federal law, provision of the U.S. Constitution, state and local law, ordinance, or current employment agreement.

### 604.2 POLICY

The City has a zero tolerance for retaliation and is committed to taking reasonable steps to protect from retaliation employees who, in good faith, engage in permitted behavior or who report or participate in the reporting or investigation of workplace issues. All complaints of retaliation will be taken seriously and will be promptly and appropriately investigated.

### 604.3 RETALIATION PROHIBITED

No employee may retaliate against any person for engaging in lawful or otherwise permitted behavior; for opposing a practice believed to be unlawful, unethical, discriminatory, or retaliatory; for reporting or making a complaint under this policy; or for participating in any investigation related to a complaint under this or any other policy.

Retaliation includes any adverse action or conduct, including but not limited to:

- Refusing to hire or denying a promotion.
- Extending the probationary period.
- Unjustified reassignment of duties or change of work schedule.
- Real or implied threats or other forms of intimidation to dissuade the reporting of wrongdoing or filing of a complaint, or as a consequence of having reported or participated in protected activity.
- Taking unwarranted disciplinary action.
- Spreading rumors about the person filing the complaint or about the alleged wrongdoing.
- Shunning or unreasonably avoiding a person because the person has engaged in protected activity.

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#### *Anti-Retaliation*

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#### **604.4 COMPLAINTS OF RETALIATION**

Any employee who feels retaliated against in violation of this policy should promptly report the matter to Human Resource Manager, or the City Manager or the authorized designee.

Employees shall act in good faith, not engage in unwarranted reporting of trivial or minor deviations or transgressions, and make reasonable efforts to verify facts before making any complaint in order to avoid baseless allegations. Employees shall not report or state an intention to report information or an allegation knowing it to be false or with willful or reckless disregard for the truth or falsity of the information, or otherwise act in bad faith.

Investigations are generally more effective when the identity of the reporting employee is known, thereby allowing investigators to obtain additional information from the reporting employee. However, complaints may be made anonymously. All reasonable efforts shall be made to protect the reporting employee's identity. However, confidential information may be disclosed to the extent required by law or to the degree necessary to conduct an adequate investigation and make a determination regarding a complaint. In some situations, the investigative process may not be complete unless the source of the information and a statement by the employee are part of the investigative process.

#### **604.5 SUPERVISOR RESPONSIBILITIES**

The responsibilities of supervisors include but are not limited to:

- (a) Ensuring complaints of retaliation are investigated.
- (b) Receiving all complaints in a fair and impartial manner.
- (c) Documenting the complaint and any steps taken to resolve the problem.
- (d) Acknowledging receipt of the complaint, notifying the Human Resource Manager and City Manager or the authorized designee, and explaining to the employee how the complaint will be handled.
- (e) Taking appropriate and reasonable steps to mitigate any further violations of this policy.
- (f) Monitoring the work environment to ensure that any employee making a complaint is not subjected to further retaliation.
- (g) Periodic follow-up with the complainant to ensure that retaliation is not continuing.
- (h) Not interfering with or denying the right of an employee to make any complaint.
- (i) Taking reasonable steps to accommodate requests for assignment or schedule changes made by an employee who may be the target of retaliation if it would likely mitigate the potential for further violations of this policy.

#### **604.6 COMPLAINT PROCESS**

The City Manager should communicate to all supervisors the prohibition against retaliation.

Supervisors shall treat all complaints as serious matters and shall ensure that prompt actions take place, including but not limited to:

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#### *Anti-Retaliation*

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- (a) Communicating to all employees the prohibition against retaliation.
- (b) The timely review of complaint investigations.
- (c) Remediation of any inappropriate conduct or condition and instituting measures to eliminate or minimize the likelihood of recurrence.
- (d) The timely communication of the outcome to the complainant.

#### **604.7 WHISTLE-BLOWING**

Employees who believe they have been the subject of retaliation for engaging in protected behaviors should promptly report it to a Human Resource Manager. Human Resource Manager should refer the complaint to the City Manager or the authorized designee for investigation.

#### **604.8 RECORDS RETENTION AND RELEASE**

The City Recorder shall ensure that documentation of investigations is maintained in accordance with the established records retention schedules.

#### **604.9 TRAINING**

This policy should be reviewed with each new employee.

All employees should receive periodic refresher training on the requirements of this policy.

## Drug-and Alcohol- Free Workplace

### 605.1 PURPOSE AND SCOPE

The purpose of this policy is to establish clear and uniform guidelines regarding drugs and alcohol in the workplace (41 USC § 8103).

### 605.2 POLICY

It is the policy of the City to provide a drug- and alcohol-free workplace for all employees.

### 605.3 GENERAL GUIDELINES

Alcohol and drug use in the workplace or on city time can endanger the health and safety of city employees and the public.

Employees who have consumed an amount of an alcoholic beverage or taken any medication, or combination thereof, that would tend to adversely affect their mental or physical abilities shall not report for work. Affected employees shall notify an appropriate supervisor as soon as they are aware of an inability to report to work. If the employee is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the employee is adversely affected while at work, the employee shall be immediately removed and released from work (see the Work Restrictions section in this policy).

#### 605.3.1 USE OF MEDICATIONS

Employees should not use any medications that will impair their ability to safely and completely perform their work. Any employee who is medically required or has a need to take any such medication shall report that need to an immediate supervisor prior to commencing any work.

#### 605.3.2 MEDICAL CANNABIS

Possession, use, or being under the influence of medical cannabis during work hours is prohibited and may lead to disciplinary action.

### 605.4 EMPLOYEE RESPONSIBILITIES

Employees shall report for work in an appropriate mental and physical condition. Employees are prohibited from purchasing, manufacturing, distributing, dispensing, possessing, or using controlled substances or alcohol on city premises or on city time (41 USC § 8103). The lawful possession or use of prescribed medications or over-the-counter remedies is excluded from this prohibition.

Employees shall notify a supervisor immediately if they observe behavior or other evidence that they believe demonstrates that a fellow employee is impaired during work hours due to drug or alcohol use.

Employees are required to notify their immediate supervisors of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction (41 USC § 8103).

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#### *Drug-and Alcohol- Free Workplace*

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##### **605.5 EMPLOYEE ASSISTANCE PROGRAM**

There may be available a voluntary employee assistance program to assist those who wish to seek help for alcohol and drug problems (41 USC § 8103). Insurance coverage that provides treatment for drug and alcohol abuse also may be available. Employees should contact the City Manager or the authorized designee, their insurance providers, or the employee assistance program for additional information. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

##### **605.6 WORK RESTRICTIONS**

If an employee informs a supervisor of having consumed any alcohol, drug, or medication that could interfere with a safe and efficient job performance, the employee may be required to obtain clearance from a physician before continuing to work.

If the supervisor reasonably believes, based on objective facts, that an employee is impaired by the consumption of alcohol or other drugs, the supervisor shall prevent the employee from continuing work and shall ensure that the employee is safely transported away from the workplace.

##### **605.7 SCREENING TESTS**

A supervisor may require an employee to submit to a screening under any of the following circumstances:

- (a) The supervisor reasonably believes, based upon objective facts, that the employee is under the influence of alcohol or drugs that are impairing the employee's ability to perform work safely and efficiently.
- (b) The employee uses property owned or approved by the City in a manner that results in injury, death, or substantial property damage.
- (c) The employee drives a motor vehicle in the performance of the employee's work and becomes involved in an incident that results in bodily injury, death, or substantial damage to property (Property Damage that exceeds \$1500 or more).

###### **605.7.1 RANDOM DRUG SCREEN**

Random drug testing will be managed by Roosevelt City Human Resources for all employees.

The following employees will be subject to more frequent random drug testing because of the nature of their assignments:

- (a) Detectives investigating narcotics cases
- (b) Property and evidence employees
- (c) K9 officers
- (d) Other high-risk positions

Selected employees will have 2 hours to respond to the testing facility and to engage in the test, from the time of service noted on the notification form.

Notification made to the selected employee is the responsibility of the Human Resource Manager and shall be completed in person and in writing. The written notice will describe the two hour

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requirement for completion of the test from the time of service, the location of the test facility, and a signature/time portion of the employee and Human Resources Manager. The employee will sign the notification form in the presence of the Human Resource Manager.

The testing may include urine, blood, and/or breath, as determined by Human Resources and/or the City Manager.

The City Manager may excuse the employee selected for testing when good cause exists, such as: military leave, funeral leave, vacation, or jury duty.

Failure to comply with random drug screen protocol or any effort to manipulate or defeat a test may result in a follow-up drug test, discipline, or even termination.

#### **605.7.2 SUPERVISOR RESPONSIBILITIES**

The supervisor shall prepare a written record documenting the specific facts that led to the decision to require the test to include random drug testing selection, and shall inform the employee in writing of the following:

- (a) The test will be given to detect either alcohol or drugs, or both.
- (b) The result of the test is not admissible in any criminal proceeding against the employee.
- (c) The employee may refuse the test, but refusal may result in dismissal or other disciplinary action.

#### **605.7.3 DISCIPLINE**

An employee may be subject to disciplinary action if the employee

- (a) Fails or refuses to submit to a screening test.
- (b) After taking a screening test that indicates the presence of a controlled substance, fails to provide proof, within 72 hours after being requested, of having taken the controlled substance as directed, pursuant to a current and lawful prescription issued in the employee's name.

#### **605.8 COMPLIANCE WITH THE DRUG-FREE WORKPLACE ACT**

No later than 30 days following notice of any drug statute conviction for a violation occurring in the workplace involving an employee, the City will take appropriate disciplinary action, up to and including dismissal, and/or requiring the employee to satisfactorily participate in a drug abuse assistance or rehabilitation program (41 USC § 8104).

#### **605.9 CONFIDENTIALITY**

The City recognizes the confidentiality and privacy due to its employees. Disclosure of any information relating to substance abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the employee involved or pursuant to lawful process.

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The written results of any screening tests and all documents generated by the employee assistance program are considered confidential medical records and shall be maintained in the employee's confidential medical file in accordance with the Personnel Records Policy.

# Communicable Diseases

## 606.1 PURPOSE AND SCOPE

This policy provides general guidelines to assist in minimizing the risk of employees contracting and/or spreading communicable diseases.

### 606.1.1 DEFINITIONS

Definitions related to this policy include:

**Communicable disease** - A human disease caused by microorganisms that are present in and transmissible through human blood, bodily fluid, or tissue, or by breathing or coughing. These diseases commonly include but are not limited to hepatitis B virus (HBV), HIV, and tuberculosis.

**Exposure** - When an eye, the mouth, a mucous membrane, or non-intact skin comes into contact with blood or other potentially infectious materials, or when these substances are injected or infused under the skin; when an individual is exposed to a person who has a disease that can be passed through the air by talking, sneezing, or coughing (e.g., tuberculosis), or the individual is in an area that was occupied by such a person. Exposure only includes those instances that occur due to an employee's position with the City. (See the exposure control plan for further details to assist in identifying whether an exposure has occurred.)

## 606.2 POLICY

The City is committed to providing a safe work environment for its employees. Employees should be aware that they are ultimately responsible for their own health and safety.

## 606.3 EXPOSURE CONTROL OFFICER

The City Manager should assign a person as the Exposure Control Officer (ECO). The ECO is responsible for the development of an exposure control plan that includes:

- (a) Exposure prevention and decontamination procedures.
- (b) Procedures for when and how to obtain medical attention in the event of an exposure or suspected exposure.
- (c) The provision that city employees will have no-cost access to personal protective equipment (PPE) (e.g., gloves, face masks, eye protection, pocket masks) that is appropriate for each employee's position and risk of exposure.
- (d) Identification of exposure risks and reasonable efforts to reduce additional exposure.
- (e) Compliance with all relevant laws or regulations related to communicable diseases which may include the following:
  1. Responding to requests and notifications regarding exposures covered under the Ryan White law (42 USC § 300ff-133; 42 USC § 300ff-136)
  2. Bloodborne pathogen precautions, including exposure determination, if required (29 CFR 1910.1030)

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#### *Communicable Diseases*

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The ECO should also act as the liaison with the state occupational health and safety authority and may request voluntary compliance inspections. The ECO should periodically review and update the exposure control plan and review implementation of the plan.

#### **606.4 EXPOSURE PREVENTION AND MITIGATION**

##### 606.4.1 GENERAL PRECAUTIONS

All employees are expected to use good judgment and follow training and procedures related to mitigating the risks associated with communicable disease. This includes but is not limited to (29 CFR 1910.1030):

- (a) Stocking disposable gloves, antiseptic hand cleanser, CPR masks, or other specialized equipment in the work area or city vehicles, as applicable.
- (b) Wearing city-approved disposable gloves when contact with blood, other potentially infectious materials, mucous membranes, and non-intact skin can be reasonably anticipated.
- (c) Washing hands immediately or as soon as feasible after removal of gloves or other PPE.
- (d) Treating all human blood and bodily fluids/tissue as if it is known to be infectious for a communicable disease.
- (e) Using an appropriate barrier device when providing CPR.
- (f) Using a face mask or shield if it is reasonable to anticipate an exposure to an airborne transmissible disease.
- (g) Decontaminating non-disposable equipment (e.g., clothing, shoes, work equipment) as soon as possible if the equipment is a potential source of exposure.
  - 1. Clothing that has been contaminated by blood or other potentially infectious materials should be removed immediately or as soon as feasible and stored/decontaminated appropriately.
- (h) Handling all sharps and items that cut or puncture (e.g., needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.
- (i) Avoiding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.
- (j) Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.

##### 606.4.2 IMMUNIZATIONS

Employees who could be exposed to HBV due to their positions may receive the HBV vaccine and any routine booster at no cost (29 CFR 1910.1030). Additional immunizations may also be required or provided.

#### **606.5 POST EXPOSURE**

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#### *Communicable Diseases*

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##### 606.5.1 INITIAL POST-EXPOSURE STEPS

Employees who experience an exposure or suspected exposure shall (29 CFR 1910.1030):

- (a) Begin decontamination procedures immediately (e.g., wash hands and any other skin with soap and water, flush mucous membranes with water).
- (b) Obtain medical attention as appropriate.
- (c) Notify a supervisor as soon as practical.

##### 606.5.2 REPORTING REQUIREMENTS

Supervisors should investigate every exposure or suspected exposure that occurs as soon as possible following the incident. Supervisors should document the following information (29 CFR 1910.1030):

- (a) Identification of the employee exposed
- (b) Date and time of incident
- (c) Location of incident
- (d) Potentially infectious materials involved and the source of exposure (e.g., identification of the person who may have been the source)
- (e) Work being done during exposure
- (f) How the incident occurred or was caused
- (g) PPE in use at the time of the incident
- (h) Actions taken post-event (e.g., clean-up, notifications)

Supervisors should advise their employees that disclosing the identity and/or infectious status of a source to the public or to anyone who is not involved in the follow-up process is prohibited. Supervisors should complete the incident documentation in conjunction with other reporting requirements that may apply (see the Work-Related Illness and Injury Reporting and Illness and Injury Prevention policies).

##### 606.5.3 MEDICAL CONSULTATION, EVALUATION, AND TREATMENT

City employees have the opportunity to have a confidential medical evaluation immediately after an exposure and follow-up evaluations as necessary.

The ECO should request a written opinion/evaluation from the treating medical professional that contains only the following information (29 CFR 1910.1030):

- (a) Whether the employee has been informed of the results of the evaluation.
- (b) Whether the employee has been notified of any medical conditions resulting from exposure to blood or other potentially infectious materials that require further evaluation or treatment.

No other information should be requested or accepted by the ECO.

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##### 606.5.4 COUNSELING

The City should provide the employee, and the employee's family if necessary, the opportunity for counseling and consultation regarding the exposure.

##### 606.5.5 SOURCE TESTING

Testing a person for communicable diseases when that person was the source of an exposure should be done when it is desired by the exposed employee or when it is otherwise appropriate. Source testing is the responsibility of the ECO. If the ECO is unavailable to seek timely testing of the source, it is the responsibility of the exposed employee's supervisor to ensure testing is sought.

Source testing may be achieved by:

- (a) Obtaining consent from the individual.
- (b) Requesting assistance from local health authorities to obtain testing.
- (c) Acquiring a court order in accordance with state law.

Since there is the potential for overlap between the different manners in which source testing may occur, the ECO is responsible for coordinating the testing to prevent unnecessary or duplicate testing.

The ECO should seek the consent of the individual for testing and consult the City Manager to discuss other options when no statute exists for compelling the source of an exposure to undergo testing if the individual refuses.

#### **606.6 CONFIDENTIALITY OF REPORTS**

Medical information shall remain in confidential files and not be disclosed to anyone without the employee's written consent (except as required by law). Test results from persons who may have been the source of an exposure are to be kept confidential as well (29 CFR 1910.1030).

#### **606.7 TRAINING**

Training regarding communicable diseases should be provided to employees commensurate with the requirements of their position. The training (29 CFR 1910.1030):

- (a) Should be provided at the time of initial assignment to tasks where an occupational exposure may take place and at least annually after the initial training.
- (b) Should be provided whenever the employee is assigned new tasks or procedures affecting potential exposure to communicable disease.
- (c) Should provide guidance on what constitutes an exposure, what steps can be taken to avoid an exposure, and what steps should be taken if a suspected exposure occurs.

## Smoking and Tobacco Use

### 607.1 PURPOSE AND SCOPE

This policy establishes limitations on smoking and the use of tobacco products by employees and others during work hours or while in city facilities or vehicles.

For the purpose of this policy, smoking and tobacco use includes but is not limited to any tobacco product, such as cigarettes, cigars, pipe tobacco, snuff, tobacco pouches, and chewing tobacco, as well as any device that is intended to simulate smoking, such as an electronic cigarette or personal vaporizer.

### 607.2 POLICY

The City recognizes that smoking and tobacco use is a health risk and can be offensive to others. All forms of smoking and tobacco use also present an unprofessional image for the City and its employees. Therefore, all forms of smoking and tobacco use are prohibited by employees and visitors in all city facilities, buildings, and vehicles, and as is further outlined in this policy.

### 607.3 SMOKING AND TOBACCO USE

Smoking and tobacco use by employees are prohibited any time employees are in public view representing the City.

It is the responsibility of employees to ensure that no person under their supervision or control smokes or uses any tobacco product inside city facilities and vehicles.

All employees shall comply with State, Federal and Local law regarding prohibition of tobacco products within specified distances of public buildings.

### 607.4 POSTING

Signs or other notices should be posted at appropriate locations to notify employees and the public where smoking and tobacco use is prohibited.

## Work Schedules, Meal Periods and Breaks

### 608.1 PURPOSE AND SCOPE

This policy provides general guidance regarding work schedules, meal periods and breaks for employees.

### 608.2 POLICY

It is the policy of the City to provide work schedules, meal periods and breaks to employees in accordance with the law and any employment agreements.

### 608.3 EMPLOYEE SCHEDULES

Department heads are responsible for creating work schedules to ensure minimum staffing requirements are met. All work schedules must be approved by the City Manager. Department heads should give employees 48 hour notice prior to any permanent schedule changes.

### 608.4 MEAL PERIODS

Employees shall take meal periods at times approved by their supervisors. The time spent for meal periods shall not exceed the authorized time allowed.

Emergency response employees shall remain on-duty subject to call during meal periods. All other employees are not on-duty during meal periods unless directed otherwise by a supervisor.

### 608.5 BREAKS

Breaks will be approved by a supervisor pursuant to any applicable State, Federal or Local law.

Emergency response employees shall remain on-duty subject to call during breaks. All other employees are not on-duty during breaks unless directed otherwise by a supervisor.

## Lactation Breaks

### 609.1 PURPOSE AND SCOPE

The purpose of this policy is to provide reasonable accommodations to employees desiring to express breast milk for the employee's infant child.

### 609.2 POLICY

It is the policy of the City to provide, in compliance with the Fair Labor Standards Act (FLSA), reasonable break time and appropriate facilities to accommodate any nonexempt employee desiring to express breast milk for a nursing child for up to one year after the child's birth (29 USC § 207).

### 609.3 LACTATION BREAK TIME

A rest period should be permitted each time the employee has the need to express breast milk (29 USC § 207). In general, lactation breaks that cumulatively total 30 minutes or less during any four-hour work period or major portion of a four-hour work period would be considered reasonable. However, individual circumstances may require more or less time.

Lactation breaks, if feasible, should be taken at the same time as the employee's regularly scheduled rest or meal periods. While a reasonable effort will be made to provide additional time beyond authorized breaks, any such time exceeding regularly scheduled and paid break time will be unpaid.

Employees desiring to take a lactation break shall notify a supervisor prior to taking such a break. Such breaks may be reasonably delayed if they would seriously disrupt city operations.

Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

### 609.4 PRIVATE LOCATION

The City will make reasonable efforts to accommodate employees with the use of an appropriate room or other location to express milk in private. Such room or place should be in proximity to the employee's work area and shall be other than a bathroom or toilet stall. The location must be shielded from view and free from intrusion from coworkers and the public (29 USC § 207).

Employees occupying such private areas shall either secure the door or otherwise make it clear to others that the area is occupied with a need for privacy. All other employees should avoid interrupting an employee during an authorized break, except to announce an emergency or other urgent circumstance.

Authorized lactation breaks for employees assigned to the field may be taken at the nearest appropriate private area.

### 609.5 STORAGE OF EXPRESSED MILK

Any employee storing expressed milk in any authorized refrigerated area shall clearly label it as such and shall remove it when the employee's workday ends.

## Payroll Records

### **610.1 PURPOSE AND SCOPE**

This policy provides the guidelines for completing and submitting payroll records of city employees who are eligible for the payment of wages.

### **610.2 POLICY**

The City maintains timely and accurate payroll records.

### **610.3 RESPONSIBILITIES**

Employees are responsible for the accurate completion and timely submission of their payroll records for the payment of wages.

Supervisors are responsible for approving the payroll records of employees under their supervision.

### **610.4 TIME REQUIREMENTS**

Employees who are eligible for the payment of wages are paid on a scheduled, periodic basis, generally on the same day or date each period, with certain exceptions, such as holidays. Payroll records shall be completed and submitted as established by the city payroll procedures.

### **610.5 RECORDS**

The City shall maintain accurate and timely payroll records as required by 29 CFR 516.2 for a minimum of three years (29 CFR 516.5).

## Overtime Compensation

### 611.1 PURPOSE AND SCOPE

This policy establishes guidelines and procedures regarding overtime for employees, in conformance with the Fair Labor Standards Act (FLSA) (29 USC § 201 et seq.).

### 611.2 POLICY

The City will compensate nonexempt employees who work authorized overtime by payment of wages. Employees who are salary exempt from FLSA are not compensated for overtime worked.

### 611.3 COMPENSATION

Payment of wages to nonexempt employees for overtime, shall be at the rate of not less than one and one-half hours for each hour of employment for which overtime compensation is required (29 USC § 207(o)(1)).

Overtime applies for all hours worked over forty (40) hours in a work week and shall be compensated at the rate of one and one-half (1 and 1/2) times the employee's regular hourly rate. Sick/Bereavement, holiday time, vacation time will not be considered hours worked and cannot be counted as overtime hours.

**Holiday Pay** - Employees who are called in to work on a paid Holiday will be paid one and a half times their normal wage for those hours worked. Example: Employee is called in for a broken water line and works 6 hours. That employee will receive one and a half times their normal wage for 6 hours, and will also receive 8 hours of straight time/Holiday pay. Employees are only eligible for holiday pay beginning at 12:00 am and ending at 11:59 pm on the Holiday. Hours work that start before or end after the Holiday will be paid out time as straight time and go towards Overtime accruals.

**Call Out Pay** - Nonexempt employees, who are called to work by a supervisor during other than normal business hours, shall be paid for a minimum of two (2) hours of work for the first "call out" per day. Such two (2) hours shall start at the time of the notice of the call out. Notwithstanding the above, such two (2) hours shall be reduced by such time that is include within normal business hours (for example if a call out is initiated at 7:00 a.m. and the employee's normal business hours start at 8:00 a.m. then call out pay will be reduced by one hour). Employees who are on call may pursue personal activities during on-call status but are expected to respond to the call and travel to work within a reasonable amount of time.

Employees may be eligible for administrative leave at the discretion of the City Manager.

#### 611.3.1 ON-CALL COVERAGE

Roosevelt City requires weekend and after hours coverage in several departments. Employees will be notified as part of the hiring process whether or not they will be required to be on-call. Each on-call employee is required to adhere to the following guidelines. To be on-call is to be required for immediate contact availability for all hours assigned to be on-call.

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- An on-call schedule will be established by each department head.
- Designated on-call nonexempt employees will be compensated at a rate of \$125 for each week that they are on-call. All routine, and regular tasks are compensated through the rate of \$125 for each week and will not be compensated by additional hours. Any hours worked while on-call for tasks that are above and beyond routine and regular will be paid as regular work hours. (e.g. An example of routine is week end check on sprinklers.)
- On-call nonexempt employees will be allowed to drive a Roosevelt City vehicle home based on availability for the time they are on-call.
- When an employee is on-call he/she is required to be less than 30 minutes away from the city at all times. Failure to respond in a timely manner could negate the on-call pay for that week.
- During the winter months a secondary on-call person may be required. In this case the back-up will be compensated at a rate of \$50 for each week that they are on-call. Additionally, the back-up on-call does not have to be within 30 minutes, but will need to coordinate with the primary on-call and be able to respond within 90 minutes. Violation of the on-call policy will lead to disciplinary action which may include termination.

#### **611.4 REQUESTS FOR OVERTIME COMPENSATION**

##### **611.4.1 EMPLOYEE RESPONSIBILITIES**

Generally, no employee is authorized to work overtime without the prior approval of a supervisor. If circumstances do not permit prior approval, approval shall be sought as soon as practicable.

Nonexempt employees shall:

- (a) Obtain supervisory approval, verbal or written.
- (b) Record the actual time worked in an overtime status using the city-approved program or method. Informal notations on reports, logs, or other forms not approved for overtime recording are not acceptable.
- (c) Submit the request for overtime compensation pursuant to city payroll procedures.

##### **611.4.2 SUPERVISOR RESPONSIBILITIES**

Supervisors shall:

- (a) Prior to authorizing an employee to work overtime, evaluate the need for the overtime.
  1. Supervisors should not authorize any request to work overtime if the overtime would not be an appropriate use of city resources.
- (b) Upon receipt of a request for overtime compensation, confirm that the overtime was authorized and then verify the actual time worked.
  1. Supervisors identifying any unauthorized overtime or discrepancy shall initiate an internal investigation.
- (c) After verifying and approving the overtime amount, promptly forward the request for compensation to the employee's agency director for final approval.

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1. After the head of the agency has authorized compensation, the request shall be submitted to the City Manager or the authorized designee as soon as practicable.

Supervisors may not authorize or approve their own overtime.

#### **611.5 VARIATION IN TIME REPORTED**

When two or more employees are assigned to the same activity and the amount of time for which overtime compensation is requested varies among the employees, the City Manager, authorized designee, or other approving supervisor may require each employee to include the reason for the variation on the overtime compensation request.

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## Work-Related Illness and Injury Reporting

### 612.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding timely reporting of work-related conditions such as a physical injury or an occupational illness.

#### 612.1.1 DEFINITIONS

Definitions related to this policy include:

**Work-related condition** - Any significant medical or mental condition suspected to have been caused by an employee's service to the City. Any condition that would reasonably require some form of treatment should be considered significant.

### 612.2 POLICY

The City will address work-related conditions and will comply with applicable state workers' compensation requirements.

### 612.3 RESPONSIBILITIES

#### 612.3.1 EMPLOYEE RESPONSIBILITIES

Employees shall report work-related conditions as soon as practicable, but within 24 hours, to a supervisor, and seek medical care when appropriate.

#### 612.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor learning of any work-related condition should:

- (a) Ensure the employee receives medical care as appropriate.
- (b) Determine whether the Illness and Injury Prevention Policy applies and take additional action as required.
- (c) Review the report for accuracy and determine whether the work-related condition is required to be reported to the state or workers' compensation entity and whether any additional action should be taken.
- (d) Forward the report to the City Manager or the authorized designee to be maintained in the employee's confidential medical file.

### 612.4 OTHER ILLNESS OR INJURY

Work-related conditions that do not qualify for workers' compensation reporting shall be documented on the designated report of injury form, which shall be signed by a supervisor. A copy of the completed form shall be forwarded to the City Manager or the authorized designee.

Unless the injury is extremely minor, the affected employee shall sign the form indicating no desire for medical treatment. Signing the form does not preclude the employee's ability to later seek medical attention.

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##### **612.5 SETTLEMENT OFFERS**

When an employee experiences a work-related condition that is caused by another person and is subsequently contacted by that person, that person's agent, an insurance company, or an attorney and offered a settlement, the employee shall take no action other than to submit a written report of this contact to a supervisor as soon as possible.

##### **612.5.1 NO SETTLEMENT WITHOUT PRIOR APPROVAL**

No less than 10 days prior to accepting and finalizing the settlement of any third-party claim arising out of or related to a work-related condition, the employee shall provide the City Manager or the authorized designee with written notice of the proposed terms of such settlement. In no case shall the employee accept a settlement without first providing written notice to the City Manager or the authorized designee. The purpose of such notice is to permit the City to determine whether the offered settlement will affect any claim the City may have regarding payment for damage to equipment or reimbursement for wages against the person who caused the work-related condition, and to protect the city's right of subrogation, while ensuring that the employee's right to receive compensation is not affected.

## Temporary Modified- Duty Assignments

### 613.1 PURPOSE AND SCOPE

This policy establishes procedures for providing temporary modified-duty assignments. This policy is not intended to affect the rights or benefits of employees under federal or state law, city rules, or applicable employment agreements. For example, nothing in this policy affects the obligation of the City to engage in a good faith, interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability that is protected under federal or state law.

### 613.2 POLICY

Subject to operational and business considerations, the City may identify temporary modified-duty assignments for employees who have an injury or medical condition resulting in temporary work limitations or restrictions. A temporary assignment allows the employee to work, while providing the City with a productive employee during the temporary period.

### 613.3 GENERAL CONSIDERATIONS

Priority consideration for temporary modified-duty assignments will be given to employees with work-related injuries or illnesses that are temporary in nature. Employees having disabilities covered under the Americans with Disabilities Act (ADA) or state law shall be treated equally, without regard to any preference for a work-related injury.

No position should be created or maintained as a temporary modified-duty assignment.

Temporary modified-duty assignments are a management prerogative and not an employee right. The availability of temporary modified-duty assignments will be determined on a case-by-case basis, consistent with the operational and business needs of the City. Temporary modified-duty assignments are subject to continuous reassessment, with consideration given to operational and business needs and the employee's ability to perform in a modified-duty assignment.

The City Manager or the authorized designee may restrict employees working in temporary modified-duty assignments from wearing a uniform, operating a city vehicle, or engaging in outside employment.

Temporary modified-duty assignments should generally not exceed a cumulative total of 1,040 hours in any one-year period.

Employees who refuse a temporary modified-duty assignment offer are permitted to use available approved leave, if eligible.

### 613.4 PROCESS

Employees may request a temporary modified-duty assignment for short-term injuries or illnesses.

Employees seeking a temporary modified-duty assignment should submit a written request to their immediate supervisors or the authorized designees. The request should, as applicable, include a certification from the treating medical professional containing:

- (a) An assessment of the nature and probable duration of the illness or injury.

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- (b) The prognosis for recovery.
- (c) The nature and scope of limitations and/or work restrictions.
- (d) A statement regarding any required workplace accommodations, mobility aids, or medical devices.
- (e) A statement that the employee can safely perform the duties of the temporary modified-duty assignment.

Supervisors will make a recommendation to the City Manager or the authorized designee regarding temporary modified-duty assignments that may be available based on the needs of the City and the limitations of the employee.

Requests for a temporary modified-duty assignment of 20 hours or less per week may be approved and facilitated by the supervisor, with notice to the City Manager or the authorized designee.

#### **613.5 ACCOUNTABILITY**

Written notification of assignments, work schedules, and any restrictions should be provided to employees assigned to temporary modified-duty assignments and their supervisors. Those assignments and schedules may be adjusted to accommodate city operations and the employee's medical appointments, as mutually agreed upon by the employee and the employee's supervisor.

##### **613.5.1 EMPLOYEE RESPONSIBILITIES**

The responsibilities of employees assigned to temporary modified duty include but are not limited to:

- (a) Communicating and coordinating any required medical and physical therapy appointments in advance with their supervisors.
- (b) Promptly notifying their supervisors of any change in restrictions or limitations after each appointment with their treating medical professionals.
- (c) Communicating a status update to their supervisors no less than once every 30 days while assigned to temporary modified duty.
- (d) Submitting a written status report to the City Manager or the authorized designee that contains a status update and anticipated date of return to full duty when a temporary modified-duty assignment extends beyond 60 days.

##### **613.5.2 SUPERVISOR RESPONSIBILITIES**

The employee's immediate supervisor should monitor and manage the work schedule of those assigned to temporary modified duty.

The responsibilities of supervisors include but are not limited to:

- (a) Periodically apprising the City Manager or the authorized designee of the status and performance of employees assigned to temporary modified duty.
- (b) Notifying the City Manager or the authorized designee and ensuring that the required documentation facilitating the employee's return to full duty is received from the employee.

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- (c) Ensuring that employees returning to full duty have completed any required training and certification.

#### **613.6 MEDICAL EXAMINATIONS**

Prior to returning to full-duty status, employees shall be required to provide certification from their treating medical professionals stating that they are medically cleared to perform the essential functions of their jobs without restrictions or limitations.

The City may require a fitness-for-duty examination prior to returning an employee to full-duty status.

#### **613.7 PREGNANCY**

If an employee is temporarily unable to perform regular duties due to a pregnancy, childbirth, or a related medical condition, the employee will be treated the same as any other temporarily disabled employee (42 USC § 2000e(k)). A pregnant employee shall not be involuntarily transferred to a temporary modified-duty assignment.

Nothing in this policy limits a pregnant employee's right to a temporary modified-duty assignment if required under state law.

##### **613.7.1 NOTIFICATION**

Pregnant employees should notify their immediate supervisors as soon as practicable and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the city's personnel rules and regulations regarding family and medical care leave.

#### **613.8 PROBATIONARY EMPLOYEES**

Probationary employees who are assigned to a temporary modified-duty assignment may have their probation extended by a period of time equal to their assignment to temporary modified duty.

#### **613.9 MAINTENANCE OF CERTIFICATION AND TRAINING**

Employees assigned to temporary modified duty shall maintain all certification, training, and qualifications appropriate to both their regular and temporary duties, provided that the certification, training, or qualifications are not in conflict with any medical limitations or restrictions. Employees who are assigned to temporary modified duty shall inform their supervisors of any inability to maintain any certification, training, or qualifications.

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# Speech, Expression, and Social Networking

## 614.1 PURPOSE AND SCOPE

This policy is intended to address issues associated with the use of social networking sites, and provides guidelines for the regulation and balancing of employee speech and expression with the needs of the City.

This policy applies to all forms of communication, including but not limited to film, video, print media, public or private speech, and use of all internet services, including the web, email, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, video, and other file-sharing sites.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech, or expression that is protected under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit an employee from speaking as a private citizen, including acting as an authorized member of an employee group, about matters of public concern, such as misconduct or corruption.

Employees are encouraged to consult with their supervisors regarding any questions arising from the application or potential application of this policy.

## 614.2 POLICY

Employees of public entities occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of the City. Due to the nature of the work and influence associated with local government employees, it is necessary that city personnel be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the City will carefully balance the individual employee's rights against the needs and interests of the City when exercising a reasonable degree of control over its employees' speech and expression.

## 614.3 PROHIBITED SPEECH, EXPRESSION, AND CONDUCT

Employees should demonstrate sound judgment in speech, expression, and conduct that relates to or affects the City. In order to meet the safety, performance, and public-trust needs of the City, the following are prohibited unless the speech is otherwise protected (e.g., an employee is speaking as a private citizen, including acting as an authorized member of an employee group, on a matter of public concern):

- (a) Speech or expression that is disruptive to the work environment, undermines authority, and is destructive to close working relationships.
- (b) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation, or professionalism of the City or its employees.
- (c) Knowingly or recklessly false speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the City and tends to compromise

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or damage the mission, function, reputation, or professionalism of the City or its employees. Examples may include:

1. Making a false accusation of wrongdoing without exercising reasonable caution to verify the truth of the matter.
  2. Intentionally misrepresenting on social media actions taken by the City that would damage the city's reputation.
- (d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of city employees. Use or disclosure, through whatever means, of any information, photograph, video, or other recording obtained or accessible as a result of employment or appointment with the City for financial or personal gain, or any disclosure of such materials without the express authorization of the City Manager or the authorized designee.
- (e) Posting, transmitting, or disseminating any photographs, video or audio recordings, likenesses or images of city logos, emblems, uniforms, badges, patches, marked vehicles, equipment, or other material that specifically identifies the City on any personal or social networking or other website or web page, without the express authorization of the City Manager or the authorized designee.

Employees must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).

#### 614.3.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While employees are not restricted from engaging in the following activities as private citizens or as authorized members of employee groups, employees may not represent the City or identify themselves in any way that could be reasonably perceived as representing the City in order to do any of the following, unless specifically authorized by the City Manager or the authorized designee:

- (a) Endorse, support, oppose, or contradict any political campaign or initiative.
- (b) Endorse, support, oppose, or contradict any social issue, cause, or religion.
- (c) Endorse, support, or oppose any product, service, company, or other commercial entity.
- (d) Appear in any commercial, social, or nonprofit publication; in any motion picture, film, video, or public broadcast; or on any website.

Additionally, when it can reasonably be construed that an employee, acting in an individual capacity or through an outside group or organization, including as an authorized member of an employee group, is affiliated with this city, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the City.

Employees retain their rights to vote as they choose, to support candidates of their choice, and to express their opinions as private citizens, including as authorized members of employee groups on political subjects and candidates at all times during non-work hours. However, employees may not use their official authority or influence to interfere with or affect the result of elections or

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nominations for office. Employees are also prohibited from directly or indirectly using their official authority to coerce, command, or advise another employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes (5 USC § 1502).

#### **614.4 PRIVACY EXPECTATION**

Employees forfeit any expectation of privacy with regard to emails, texts, or anything published or maintained through file-sharing software or any internet site (e.g., Facebook, Twitter, LinkedIn) that is accessed, transmitted, received, or reviewed on any city technology system (see the Information Technology Use Policy for additional guidance).

However, the City may not require an employee to disclose a personal username or password or to open a personal social website, except when legally permitted and relevant to the investigation of allegations of work-related misconduct.

#### **614.5 CONSIDERATIONS**

In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the City Manager or the authorized designee should consider include:

- (a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.
- (b) Whether the speech or conduct would be contrary to the good order of the City or the efficiency or morale of its employees.
- (c) Whether the speech or conduct would reflect unfavorably upon the City.
- (d) Whether the speech or conduct would negatively affect the appearance of impartiality in the performance of the employee's duties.
- (e) Whether similar speech or conduct has been previously authorized.
- (f) Whether the speech or conduct may be protected and outweighs any interest of the City.

#### **614.6 TRAINING**

Subject to available resources, the City should provide training regarding the limitations on speech, expression, and use of social networking to all employees.

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## Illness and Injury Prevention

### 615.1 PURPOSE AND SCOPE

The purpose of this policy is to establish an ongoing and effective plan to reduce the incidence of illness and injury for employees of the City.

This policy specifically applies to illness and injury that results in lost time or that requires medical treatment beyond first aid. Although this policy provides the essential guidelines for a plan that reduces illness and injury, each agency within the City may set its own related policies or procedures that do not conflict with this policy.

### 615.2 POLICY

The City is committed to providing a safe environment for its employees and to minimizing the incidence of work-related illness and injuries. The City should establish and maintain an illness and injury prevention plan and provide tools, training, and safeguards designed to reduce the potential for accidents, injuries, and illness. It is the intent of the City to comply with all laws and regulations related to occupational safety.

### 615.3 ILLNESS AND INJURY PREVENTION PLAN

The City Manager or the authorized designee is responsible for developing an illness and injury prevention plan that should include:

- (a) Workplace safety and health training programs.
- (b) Review of city workplace safety policies and procedures of each agency.
- (c) Regularly scheduled safety meetings.
- (d) Posted or distributed safety information.
- (e) A system for employees to anonymously inform management about workplace hazards.
- (f) Establishment of a safety and health committee that will:
  1. Meet regularly.
  2. Include representation from each agency.
  3. Prepare a written record of safety and health committee meetings.
  4. Review the results of periodic scheduled inspections.
  5. Review investigations of accidents and exposures.
  6. Make suggestions to supervisors for the prevention of future incidents.
  7. Review investigations of alleged hazardous conditions.
  8. Submit recommendations to assist in the evaluation of employee safety suggestions.
  9. Assess the effectiveness of efforts made by the City to meet applicable standards.

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#### *Illness and Injury Prevention*

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- (g) Establishing a process to ensure illnesses and injuries are reported as required under state law.

#### **615.4 MANAGER/ADMINISTRATOR RESPONSIBILITIES**

The responsibilities of the City Manager or the authorized designee include but are not limited to:

- (a) Managing and implementing a plan to reduce the incidence of employee illness and injury.
- (b) Ensuring that a system of communication is in place that facilitates a continuous flow of safety and health information between supervisors and employees. This system shall include:
  - 1. New employee orientation that includes a discussion of safety and health policies and procedures.
  - 2. Regular employee review of the illness and injury prevention plan.
- (c) Ensuring that all safety and health policies and procedures are clearly communicated and understood by all employees.
- (d) Taking reasonable steps to ensure that all employees comply with safety rules in order to maintain a safe work environment. This includes but is not limited to:
  - 1. Informing employees of the illness and injury prevention guidelines.
  - 2. Recognizing employees who perform safe work practices.
  - 3. Ensuring that the employee evaluation process includes employee safety performance.
  - 4. Ensuring compliance with any applicable safety standards related to:
    - (a) Communicable diseases
    - (b) Personal Protective Equipment (PPE) (see the Personal Protective Equipment Policy)
    - (c) Emergency Action Plan
    - (d) Walking-working surfaces
- (e) Making available a form to document inspections, unsafe conditions or unsafe work practices, and actions taken to correct unsafe conditions and work practices.
- (f) Making available a form to document individual incidents or accidents.
- (g) Making available a form to document the safety and health training of each employee. This form will include the employee's name or other identifier, training dates, type of training, and training providers.
- (h) Conducting and documenting a regular review of the illness and injury prevention plan.

#### **615.5 SUPERVISOR RESPONSIBILITIES**

Supervisor responsibilities include but are not limited to:

- (a) Ensuring employee compliance with illness and injury prevention guidelines and answering questions from employees about this policy.

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- (b) Training, counseling, instructing, or making informal verbal admonishments any time safety performance is deficient. Supervisors may also initiate discipline when it is reasonable and appropriate.
- (c) Establishing and maintaining communication with employees on health and safety issues. This is essential for an injury-free, productive workplace.
- (d) Completing required forms and reports relating to illness and injury prevention and submitting such forms and reports to the City Manager.
- (e) Notifying the City Manager or the authorized designee when:
  - 1. New substances, processes, procedures, or equipment that present potential new hazards are introduced into the work environment.
  - 2. New, previously unidentified hazards are recognized.
  - 3. Work-related illnesses and injuries occur.
  - 4. New and/or permanent or intermittent employees are hired or reassigned to processes, operations, or tasks for which a hazard evaluation has not been previously conducted.
  - 5. Workplace conditions warrant an inspection.

#### **615.6 HAZARDS**

All employees should report and/or take reasonable steps to correct unsafe or unhealthy work conditions, practices, or procedures in a timely manner. Employees should make their reports to a supervisor (as a general rule, their own supervisors).

Supervisors should make reasonable efforts to correct unsafe or unhealthy work conditions in a timely manner, based on the severity of the hazard. These hazards should be corrected when observed or discovered, when it is reasonable to do so. When a hazard exists that cannot be immediately abated without endangering employees or property, supervisors should protect or remove all exposed employees from the area or item, except those necessary to correct the existing condition.

Employees who are necessary to correct the hazardous condition shall be provided with the necessary protection.

All significant actions taken and dates they are completed shall be documented on the appropriate form. This form should be forwarded to the City Manager or the authorized designee.

The City Manager or the authorized designee will take appropriate action to ensure the illness and injury prevention plan addresses potential hazards upon such notification.

#### **615.7 INSPECTIONS**

Safety inspections are crucial to a safe work environment. These inspections identify and evaluate workplace hazards and permit mitigation of those hazards. A hazard assessment checklist should be used for documentation and to ensure a thorough assessment of the work environment.

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The City Manager or the authorized designee should ensure that the appropriate documentation is completed for each inspection.

#### **615.7.1 EQUIPMENT**

Employees are charged with daily inspections of their assigned equipment or work environment, as applicable, prior to beginning their workday. Employees should complete the appropriate form if an unsafe condition cannot be immediately corrected. Employees should forward this form to their supervisors.

#### **615.8 INVESTIGATIONS**

Any employee sustaining any work-related illness or injury, as well as any employee who is involved in any work-related accident or hazardous substance exposure, shall report such event as soon as practicable to a supervisor. Employees observing or learning of a potentially hazardous condition are to promptly report the condition to their immediate supervisors.

A supervisor receiving such a report should personally investigate the incident or ensure that an investigation is conducted. Investigative procedures for workplace accidents and hazardous substance exposures should include:

- (a) A visit to the accident scene as soon as possible.
- (b) An interview of the injured employee and witnesses.
- (c) An examination of the workplace for factors associated with the accident/exposure.
- (d) Determination of the cause of the accident/exposure.
- (e) Corrective action to prevent the accident/exposure from reoccurring.
- (f) Documentation of the findings and corrective actions taken.

Additionally, the supervisor should proceed with the steps to report a work-related injury, as required under the Work-Related Illness and Injury Reporting Policy, in conjunction with this investigation to avoid duplication and ensure timely reporting.

#### **615.9 TRAINING**

Employees, including supervisors, should be provided with training on general and job-specific workplace safety and health practices. Training should be provided:

- (a) To supervisors to familiarize them with the safety and health hazards to which employees under their immediate direction and control may be exposed.
- (b) To all employees with respect to hazards specific to each employee's job assignment.
- (c) To all employees given new job assignments for which training has not previously been provided.
- (d) Whenever new substances, processes, procedures, or equipment are introduced to the workplace and represent a new hazard.
- (e) Whenever the City is made aware of a new or previously unrecognized hazard.

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##### **615.9.1 TRAINING TOPICS**

Training topics should include, as applicable:

- (a) Reporting unsafe conditions, work practices, and injuries, and informing a supervisor when additional instruction is needed.
- (b) Use of appropriate clothing, including gloves and footwear.
- (c) Use of respiratory equipment.
- (d) Availability of toilet, hand-washing, and drinking-water facilities.
- (e) Provisions for medical services and first aid.
- (f) Handling of bloodborne pathogens and other biological hazards.
- (g) Prevention of heat and cold stress.
- (h) Identification and handling of hazardous materials, including chemical hazards to which employees could be exposed, and review of resources for identifying and mitigating hazards (e.g., hazard labels, Safety Data Sheets (SDS)).
- (i) Mitigation of physical hazards.
- (j) Identification and mitigation of ergonomic hazards, including working on ladders or in a stooped posture for prolonged periods.
- (k) Back exercises/stretchers and proper lifting techniques.
- (l) Avoidance of slips and falls.
- (m) Good housekeeping and fire prevention.
- (n) Other job-specific safety concerns.

##### **615.10 RECORDS**

Records and training documentation relating to illness and injury prevention will be maintained in accordance with the established records retention schedule.

## Workplace Violence

### 616.1 PURPOSE AND SCOPE

The purpose of this policy is to make clear that the City does not tolerate any direct or implied threats of violence or violent behavior in the workplace or any act or behavior that is or can be perceived as threatening, hostile, and/or violent.

### 616.2 POLICY

It is the policy of the City to provide and maintain a safe work environment for its employees, volunteers, and members of the public.

In responding to any violent behavior in the workplace, the City is committed to providing protection to all involved parties, including protection from future physical and/or mental harm and the protection of the legal rights of victims, witnesses, and those instigating the harm.

### 616.3 PROHIBITED BEHAVIOR

No employee shall engage in, encourage, or promote violent behavior toward any person while conducting city business or on city property.

No employee engaged in city business shall carry or possess weapons or explosives unless either:

- (a) Permitted by city policy.
- (b) State or local law prohibits the City from restricting the possession of the weapon or explosive.

### 616.4 REPORTING AND INVESTIGATING

#### 616.4.1 EMPLOYEE RESPONSIBILITY

Employees who experience, observe, or have knowledge of prohibited behaviors and actions in the workplace have a responsibility to report the situation as soon as practicable to a supervisor, a manager, or a human resources representative and to the local police department, if a threat has been made or a crime has occurred.

#### 616.4.2 SUPERVISOR AND MANAGER/ADMINISTRATOR RESPONSIBILITIES

Upon receipt of a report of potential or actual workplace violence, supervisors shall gather as much information as possible to assess and determine the severity and potential of the situation. If the report is found to be credible, the City Manager or the authorized designee shall be notified as soon as practicable and appropriate action taken.

Local law enforcement personnel shall be notified immediately of all threatening or violent behavior.

#### 616.4.3 INVESTIGATION

The City Manager or the authorized designee will promptly, impartially, and with as much confidentiality as practicable coordinate the investigation of all reports of violent behavior.

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City employees are required to cooperate in any investigation. A timely resolution of each report should be reached and communicated to all parties involved as quickly as possible.

#### **616.4.4 REPORTING NON-WORK-RELATED THREATENING OR VIOLENT BEHAVIOR**

City employees who are victims of domestic violence or other threatening behavior outside of the workplace, or who believe they are potential victims of such behavior and fear it may enter the workplace, are encouraged to report the situation as soon as possible to their supervisors.

Supervisors receiving any such report shall contact the City Manager or the authorized designee as soon as practicable so that any appropriate safety measures or plans may be developed.

#### **616.5 RETALIATION PROHIBITED**

Any form of retaliation against an employee for making a report concerning violent behavior in the workplace is prohibited.

Any employee who becomes aware of any retaliation or threatened retaliation shall immediately notify a supervisor.

#### **616.6 RESTRAINING ORDERS**

Employees who obtain a restraining order listing their workplace, person, or the City property as a protected area must provide a copy of the restraining order to their immediate supervisor or the City Manager or the authorized designee. The City needs this information in order to provide a safe workplace.

#### **616.7 FOLLOW-UP ACTION**

Any employee reported to have exhibited violent or potentially violent behavior will be afforded all rights provided by law and applicable employment agreements before the City takes any disciplinary action.

Actions that may be taken when an employee has been found to have violated this policy include but are not limited to the following:

- Mandatory participation in counseling
- Placing the employee on paid administrative leave pending investigation into an alleged threat or act
- Corrective/disciplinary action up to and including termination
- Criminal arrest and prosecution
- Special procedures, such as job relocation or initiation of a court order

If, upon investigation, it is determined that an allegation is false or was made maliciously, the employee who provided the false information will be subject to disciplinary action, up to and including termination, as well as possible criminal arrest and prosecution.

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#### *Workplace Violence*

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##### **616.8 LEGAL ACTION**

The City Manager or the authorized designee, in consultation with legal counsel, will determine if a temporary restraining order or injunction should be sought on behalf of the City to reduce future or threatened violent behavior in the workplace.

##### **616.9 CORRECTIVE ACTIONS**

At the completion of the investigation and a review of the incident, or in the case of a threat of violence, non-disciplinary corrective actions should be implemented or requested to ensure overall workplace safety. These actions may include but are not limited to:

- Placing the involved employee on administrative leave pending further review and determination of permanent action.
- Administrative leave would be unpaid in the case of a volunteer or part time employees.
- Reassigning the employee to a different work location.
- Referring the employee to conflict resolution training sessions.
- Referring the employee to the employee assistance program (EAP).
- Modifying workstation designs and office traffic flow patterns.
- Requiring the employee to attend a fitness-for-duty evaluation.
- Developing specific workplace violence procedures for incident response, prevention, and corrective actions.

##### **616.10 WORKPLACE VIOLENCE PREVENTION**

All city employees are responsible for assisting in the prevention of violence in the workplace.

The City will provide appropriate training to employees regarding workplace violence.

In the event a violent incident occurs in the workplace, the City Manager or the authorized designee is responsible for ensuring that all responsibilities have been met and actions carried out, as detailed in this policy, and shall review the results of any investigation and ensure appropriate action is taken. Information gathered during an investigation should be used for the continuous improvement of policies and procedures to prevent workplace violence.

## Outside Employment

### 617.1 PURPOSE AND SCOPE

This policy provides guidelines for city employees who seek to engage in authorized outside employment.

#### 617.1.1 DEFINITIONS

Definitions related to this policy include:

**Outside employment** - Duties or services performed by employees of the City for another employer, organization, or individual when wages, compensation, or other consideration for such duties or services is received. Outside employment also includes duties or services performed by those employees who are self-employed and receive compensation or other consideration for services, products, or benefits rendered.

### 617.2 POLICY

City employees shall obtain written approval from the City Manager or the authorized designee prior to engaging in any outside employment. Approval of outside employment shall be at the discretion of the City Manager or the authorized designee in accordance with the provisions of this policy. Failure to obtain prior written approval for outside employment, or engaging in outside employment that is prohibited by this policy, may lead to disciplinary action.

### 617.3 OUTSIDE EMPLOYMENT

#### 617.3.1 REQUEST AND APPROVAL

Employees must submit a written notification to engage in outside employment to their immediate supervisors. The notification will then be forwarded to the City Manager or the authorized designee for consideration. The City Manager and/or City Attorney will review all secondary employment notices to determine if a conflict of interest is present. As your primary employer, Roosevelt City is not obligated to approve any shift or job changes to accommodate a secondary employment.

If approved, the employee will be provided with a written notification of approval. Unless otherwise indicated in writing, approval for outside employment will be valid through the end of the calendar year in which the request is approved. Employees seeking to continue outside employment must submit a new request at the start of each calendar year.

#### 617.3.2 DENIAL

Any employee whose secondary employment creates a conflict of interest, the city will respond in writing, informing the employee why they cannot engage in the employment that goes against the conflict-of-interest policy.

#### 617.3.3 REVOCATION

Any employee whose outside employment is revoked or suspended should be provided with a written notification of the reason for revocation or suspension.

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#### *Outside Employment*

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Outside employment may be revoked or suspended:

- (a) When a supervisor determines the employee's performance is failing to meet standards and the outside employment may be related to the deficient performance.
  - 1. Approval for the outside employment may be re-established when the employee's performance has reached a satisfactory level and with a supervisor's authorization.
- (b) When an employee's conduct or outside employment conflicts with city policy or any law.
- (c) When the outside employment creates an actual or apparent conflict of interest with the City.

#### 617.3.4 APPEAL

If an employee's request for outside employment is denied or if previous approval is revoked or suspended, the employee may file a written notice of appeal with the City Manager or the authorized designee within 10 days of receiving notice of the denial, revocation, or suspension.

A revocation or suspension will only be implemented after the employee has completed the appeal process.

If the employee's appeal is denied, the employee may file a grievance as provided in the Grievances Policy.

#### **617.4 REQUIREMENTS**

##### 617.4.1 PROHIBITED OUTSIDE EMPLOYMENT

The City reserves the right to deny any request for outside employment that involves:

- (a) The use of city time, facilities, equipment, or supplies.
- (b) The use of any city badge, uniform, or influence for private gain or advantage.
- (c) The employee's receipt or acceptance of any money or other consideration for the performance of duties or services required or expected of the employee in the normal course of employment or appointment.
- (d) The performance of duties or services that may later be subject directly or indirectly to the control, inspection, review, audit, or enforcement of any other employee of the City.
- (e) Demands upon the employee's time that would render the employee's work performance for the City deficient or substandard.
- (f) Activities that may conflict with any other policy or rule of the City.

##### 617.4.2 LOCAL GOVERNMENT RESOURCES

Employees are prohibited from using any city equipment or resources in the course of, or for the benefit of, any outside employment. This shall include the prohibition against employees using their position with the City to gain access to official records or databases.

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##### 617.4.3 CHANGES IN OUTSIDE EMPLOYMENT STATUS

Employees who terminate their outside employment shall notify their immediate supervisor.

##### 617.4.4 LEAVE OR RESTRICTED DUTY STATUS

Employees who are placed on leave or other restricted duty status shall inform their immediate supervisors in writing within five days as to whether they intend to continue their outside employment while on such leave or restricted status. The immediate supervisor shall review the duties of the outside employment, along with any related orders (e.g., administrative, medical), and make a recommendation to the City Manager or the authorized designee regarding whether such employment should continue.

In the event that the City Manager or the authorized designee determines that the outside employment should be discontinued, or if the employee fails to promptly notify an immediate supervisor of the employee's intention regarding outside employment, a notice revoking approval of the outside employment will be forwarded to the employee and a copy attached to the original outside employment request.

Criteria for revoking approval due to leave or restricted duty status include but are not limited to:

- (a) The outside employment is medically detrimental to the total recovery of the employee.
- (b) The outside employment requires performance of the same or similar physical ability as would be required in the employee's city job.
- (c) The employee fails to give timely notice of intent regarding outside employment to an immediate supervisor.

When the employee returns to full duty with the City, a written request may be submitted to the City Manager or the authorized designee to approve the outside employment request.

## Personal Appearance Standards

### 618.1 PURPOSE AND SCOPE

This policy provides guidelines for the personal appearance of city employees.

Dress code requirements for uniformed and non-uniformed employees are addressed in the Dress Code Policy.

### 618.2 POLICY

City employees shall maintain their personal hygiene and appearance to project a professional image that is appropriate for public service and for the agency in which they work. Personal appearance standards are primarily based on safety requirements, appearance conformity, and the social norms of the community served, while considering matters important to city employees.

### 618.3 GROOMING

The following appearance standards shall apply to all employees unless the employee's supervisor has granted an exception.

#### 618.3.1 PERSONAL HYGIENE

All employees must maintain proper personal hygiene. Examples of improper personal hygiene include but are not limited to dirty fingernails, bad breath, body odor, and dirty or unkempt hair.

Employees should adhere to the following general guidelines in their personal appearance when presenting to work. Employees may be subject to additional personal hygiene standards set forth in supplemental policies established by each agency.

- (a) Hair shall be neatly trimmed or arranged.
- (b) Facial hair (e.g., beards, sideburns, mustaches, eyebrows) must be clean and well-groomed. Facial hair for certain employees may be prohibited if it creates a safety hazard (i.e., facial hair for employees who regularly wear certain types of respirators).
- (c) Fingernails should be clean and neatly trimmed to a length that does not present a safety concern.

### 618.4 APPEARANCE

#### 618.4.1 JEWELRY

For the purpose of this policy, jewelry refers to rings, earrings, necklaces, bracelets, wristwatches, and tie tacks or tie bars. Jewelry shall present a professional image and may not create a safety concern for the employee or others. Jewelry that depicts racial, sexual, discriminatory, gang-related, or obscene language is not allowed.

#### 618.4.2 TATTOOS

During work hours and while representing the City in any official capacity, employees should make every reasonable effort to conceal offensive tattoos including but are not limited to those that exhibit or advocate discrimination; those that exhibit gang, supremacist, or extremist group

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#### *Personal Appearance Standards*

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affiliation; and those that depict or promote drug use, sexually explicit acts, or other obscene material.

Any type of facial or head tattoos are prohibited unless otherwise approved by the City Manager.

#### **618.4.3 BODY PIERCING OR ALTERATION**

Body piercing (other than earlobes) or alteration to any area of the body that is visible while representing the City in any official capacity, that is a deviation from normal anatomical features, and that is not medically required, is prohibited. Such body alteration includes but is not limited to:

- (a) Tongue splitting or piercing.
- (b) The complete or transdermal implantation of any material other than hair replacement (i.e., foreign objects inserted under the skin to create a design or pattern).
- (c) Abnormal shaping of the ears, eyes, nose, or teeth (i.e., enlarged or stretched out holes in the earlobes).
- (d) Branding, scarification, or burning to create a design or pattern.

#### **618.4.4 DENTAL ORNAMENTATION**

Dental ornamentation that is for decorative purposes and that is not medically required is prohibited while representing the City in any official capacity. Such ornamentation includes but is not limited to:

- (a) Objects that are bonded to front teeth.
- (b) Gold, platinum, or other veneers or caps used for decorative purposes.

#### **618.4.5 GLASSES AND CONTACT LENSES**

Eyeglasses and sunglasses shall present a professional image. Contact lenses with designs that change the normal appearance of the eye and that are not medically required are prohibited during work hours and while representing the City in any official capacity.

#### **618.4.6 COSMETICS AND FRAGRANCES**

Cosmetics shall present a professional image. Use of cologne, perfume, aftershave lotion, and other items used for body fragrance shall be kept to a minimum.

#### **618.5 EXEMPTIONS**

City employees may request exemptions from portions of this policy when application would affect a disability, a religious practice or belief, or other protected characteristics. Requests for exemptions should be addressed to the City Manager or the authorized designee. The City Manager should be advised any time a request for accommodation is denied.

## Dress Code

### 619.1 PURPOSE AND SCOPE

This policy provides dress code guidelines for city employees.

Other related topics are addressed in the Local Government-Owned and Personal Property and Personal Appearance Standards policies.

### 619.2 POLICY

It is the policy of the City that uniformed employees are readily identifiable to the public through the proper use and wearing of city uniforms and that the appearance of all employees is suitable and appropriate for their position.

### 619.3 WORK ATTIRE FOR NON-UNIFORMED EMPLOYEES

Non-uniformed employees shall dress in a manner appropriate for their position and any agency-specific standards. The following guidelines apply to all non-uniformed employees unless otherwise authorized by supervisor:

- (a) Clothing shall fit properly, be clean and free of stains, and not be damaged or excessively worn.
- (b) Employees assigned primarily to an office environment, including management, administrative, and support positions, shall wear business-appropriate attire.
- (c) Variations from this policy are allowed at the discretion of the employee's immediate supervisor or the head of the agency based upon the employee's assigned job duties.
- (d) No item of civilian attire that would adversely affect the reputation of the City or employee morale may be worn during work hours.
- (e) The following items shall not be worn during work hours or when representing the City in any official capacity:
  - 1. Clothing that reveals cleavage, the back, chest, stomach, or buttocks
  - 2. T-shirt alone or exposed undergarments
  - 3. Swimsuits, tank tops, tube tops, or halter tops
  - 4. Sweatshirts, sweatpants, or similar exercise clothing
  - 5. Spandex-type pants or transparent clothing
  - 6. Clothing, buttons, or pins displaying racial, sexual, discriminatory, gang-related, or obscene language

### 619.4 UNIFORMS

The City will provide uniforms for all employees who are required to wear them in the manner, quantity, and frequency agreed upon in the respective employee group's employment agreement, if applicable. The City may provide other employees with uniforms at the direction of the City Manager.

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The City Manager or the authorized designee shall maintain and update uniform and equipment specifications, which should be consulted by employees as needed. Uniforms shall be worn as described therein and as specified in this policy and any supplemental agency policies.

The following shall apply to those employees assigned to wear city-issued uniforms:

- (a) Uniforms and equipment shall be maintained in a serviceable condition and shall be ready at all times for immediate use. Uniforms shall be neat, clean, and appear professionally pressed, as necessary for the position.
- (b) Uniforms shall be worn in compliance with any applicable city specifications.
- (c) Uniforms are only to be worn during work hours, at official city functions or events, while in transit to or from work, or when authorized by the City Manager or the authorized designee.
- (d) Employees are not to purchase or drink alcoholic beverages while wearing any part of city-issued uniforms.
- (e) Supervisors shall monitor employee compliance with this policy through periodic inspections of employees within their agency who wear a city-issued uniform.

All uniforms and equipment issued to city employees shall be returned to the City upon termination or resignation.

#### **619.5 UNAUTHORIZED UNIFORMS, EQUIPMENT, AND ACCESSORIES**

City employees may not wear any uniform item, accessory, or attachment unless specifically authorized by the City Manager or the authorized designee.

Employees may not use or carry any safety item, tool, or other piece of equipment unless specifically authorized by the City Manager or the authorized designee.

## Sick Leave

### 620.1 PURPOSE AND SCOPE

This policy provides general guidance regarding the use and processing of sick leave. The accrual and terms of use of sick leave for eligible employees are detailed in the City personnel manual or any memorandum of understanding.

This policy is not intended to cover all types of sick leave. For example, employees may be entitled to additional paid or unpaid leave for certain family and medical reasons as provided for in the Family and Medical Leave Act (FMLA) (29 USC § 2601 et seq.). For additional information on FMLA see FMLA policy. For additional information on other leaves see Leave of Absence Policy.

### 620.2 POLICY

It is the policy of the city to provide eligible employees with a sick leave benefit.

### 620.3 SICK LEAVE ACCRUAL

**Sick Leave Accrual Rate** - Employees will accrue 3.6923 hours of sick leave per pay period amounting to 96 hours annually. Only full-time employees and expressly included appointees are eligible for sick leave.

### 620.4 USE OF SICK LEAVE

Sick leave is intended to be used for qualified absences. Sick leave is not considered vacation. Abuse of sick leave may result in discipline, denial of sick leave benefits, or both. Only full-time employees and expressly included appointees are eligible for sick leave.

Employees on sick leave shall not engage in other employment or self-employment or participate in any sport, hobby, recreational activity, or other activity that may impede recovery from the injury or illness (see the Outside Employment Policy).

Qualified appointments should be scheduled during an employee's non-working hours when it is reasonable to do so.

#### 620.4.1 NOTIFICATION

All employees should notify their Supervisor or appropriate supervisor as soon as they are aware that they will not be able to report to work and no less than one hour before the start of their scheduled shifts. If, due to an emergency, a member is unable to contact the supervisor, every effort should be made to have a representative for the member contact the supervisor. When the necessity to be absent from work is foreseeable, such as planned medical appointments or treatments, the member shall, whenever possible and practicable, provide the Department with no less than 30 days' notice of the impending absence. Upon return to work, members are responsible for ensuring their time off was appropriately accounted for, and for completing and submitting the required documentation describing the type of time off used and the specific amount of time taken. If approved, sick leave may be used to bring any one week in a pay period to 40 hours. Example: If an employee works 45 hours in the first week of the pay period and then the second week the

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#### *Sick Leave*

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employee works 32 hours and needs to take a sick day, they may use 8 hours of sick leave to bring that week to 40 hours.

#### **620.5 SUPERVISOR RESPONSIBILITIES**

The responsibilities of supervisors include but are not limited to:

- (a) Monitoring and regularly reviewing the attendance of employees to ensure that the use of sick leave and absences is consistent with this policy.
- (b) Attempting to determine whether an absence of four or more days may qualify as family medical leave and consulting with legal counsel or the City Manager as appropriate.
- (c) Addressing absences and sick leave use in the employee's performance evaluation when excessive or unusual use has:
  1. Negatively affected the employee's performance or ability to complete assigned tasks.
  2. Negatively affected city operations.
- (d) When appropriate, counseling employees regarding excessive absences and/or inappropriate use of sick leave.
- (e) Referring eligible employees to an available employee assistance program when appropriate.

#### **620.6 SICK LEAVE CARRY OVER**

Carryover of sick leave will be allowed into the next fiscal year. 300 hours is the maximum allowable limit of carryover hours. Any hours accrued over 300 will require rollover into a personal retirement savings plan such as a 401K, 457, or IRA. The City Finance Director will work with the employee at the end of the fiscal year to coordinate the rollover.

#### **620.7 SICK LEAVE CASH OUT PROVISIONS**

At the time of termination all remaining sick leave hours will be rolled over to their retirement account at the regular hourly rate of pay.

#### **620.8 EXTENDED ABSENCE**

Employees absent from work for more than three consecutive days may be required to furnish a statement from a health care provider or verification supporting the need to be absent and/or the ability to return to work. Employees on an extended absence shall, if possible, contact their supervisor at specified intervals to provide an update on their absence and expected date of return.

Nothing in this section precludes a supervisor from requiring, with cause, a health care provider's statement for an absence of three or fewer days.

Any employee who is absent for three or more consecutive work days without authorized leave shall be deemed to have resigned without notice. Where extenuating circumstances are found to have existed, however, such absence may be considered by the city manager by subsequent grant of leave with or without pay as the circumstances dictate.

## Family and Medical Leave

### 621.1 PURPOSE AND SCOPE

The purpose of this policy is to provide general guidance for managing unpaid leave for eligible employees for qualified medical and family reasons, including (29 USC § 2612):

- The birth, adoption, or foster care placement of a child.
- To care for an immediate family member (spouse, child, or parent) with a serious health condition.
- When an employee is unable to work because of the employee's own serious health condition.
- To care for a spouse, son, daughter, parent, or next of kin who is a service member of the United States Armed Forces and who has a serious injury or illness incurred in the line of duty.

This policy does not address all possible situations and circumstances that may arise when an employee requests leave for family or medical reasons. As these leave situations arise, supervisors should consult with the City Manager or authorized designee to obtain specific guidance regarding leave rights and obligations.

Nothing in this policy supersedes any provision of any employment agreement, civil service or other local rule, or any law that provides greater family or medical leave rights.

#### 621.1.1 DEFINITIONS

Definitions related to this policy include:

**Child** - A child under 18 years of age, or 18 years of age or older who is incapable of self-care because of a mental or physical disability (29 USC § 2611; 29 CFR 825.102; 29 CFR 825.122). An employee's child is one for whom the employee has actual day-to-day responsibility for care and includes a biological, adopted, or foster child; stepchild; or a child for whom the employee is standing in loco parentis (in place of a parent).

**FMLA** - The federal Family and Medical Leave Act (29 USC § 2601 et seq.).

**Qualified health care professional** - A physician, surgeon, doctor of osteopathy, podiatrist, dentist, psychologist, optometrist, nurse practitioner, nurse midwife, clinical social worker, or physician assistant duly licensed and authorized to practice medicine; chiropractors for some purposes; any health care provider from whom the city benefits plan will accept certification of the existence of a serious health condition to substantiate a claim for benefits (29 CFR 825.125).

**Spouse** - The person with whom an employee has entered into a marriage defined or recognized by the location in which the marriage was entered into (29 USC § 2611(13); 29 CFR 825.102; 29 CFR 825.122).

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#### **621.2 POLICY**

It is the policy of the City to manage unpaid leave for eligible employees for qualified medical and family reasons in compliance with federal law and any applicable employment agreement.

#### **621.3 ELIGIBLE EMPLOYEES**

Employees are eligible for FMLA after working for the City for at least one year and completing 1,250 hours over the 12 months prior to the commencement of the leave (29 USC § 2611; 29 CFR 825.110). Employees may not be eligible for leave if there are fewer than 50 other employees within 75 miles of the employee's work site.

#### **621.4 TYPE AND DURATION OF LEAVE**

Generally, eligible employees are entitled under FMLA to 12 workweeks of unpaid leave during a 12-month period (29 USC § 2612; 29 CFR 825.100). Up to 26 weeks of unpaid leave during a single 12-month period may be available to care for certain injured military service members. The 12-month period is measured backward from the date leave is taken and continuously with each additional leave day taken.

##### **621.4.1 SERIOUS HEALTH CONDITIONS**

Eligible employees may take up to 12 weeks of leave to care for a spouse, child, or parent with a serious health condition or when the employee is unable to work because of the employee's own serious health condition (29 USC § 2612(a)(1); 29 CFR 825.200).

If both spouses are employed by the City, the combined number of workweeks to care for a sick parent is limited to 12 workweeks during any 12-month period (29 USC § 2612(f); 29 CFR 825.201).

Generally, a serious health condition is an illness, injury, impairment, or physical or mental condition that involves (29 USC § 2611; 29 CFR 825.113):

- An overnight stay in a hospital, hospice, or residential medical care facility (29 CFR 825.114).
- Continuing treatment by a qualified health care professional due to a serious health condition of more than three full consecutive calendar days (29 CFR 825.115(a)).
- Any period of incapacity due to pregnancy complications or prenatal care (29 CFR 825.115(b)).
- A chronic condition that requires treatment (29 CFR 825.115(c)).
- A permanent condition for which treatment may not be effective (such as Alzheimer's or the terminal stages of a disease) (29 CFR 825.115(d)).
- Any period of absence to receive multiple treatments, including any recovery period, 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 without medical intervention or treatment (such as cancer chemotherapy or physical therapy for arthritis) (29 CFR 825.115(e)).

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##### 621.4.2 BIRTH OR PLACEMENT OF A CHILD

Eligible employees may take up to 12 weeks of leave for the birth, adoption, or foster care placement of a child of the employee (29 USC § 2612; 29 CFR 825.200). The leave must be concluded within one year of the birth or placement of the child (29 CFR 825.120; 29 CFR 825.121).

If both parents are employed by the City, the combined number of workweeks of leave is limited to 12 workweeks during any 12-month period (29 USC § 2612(f); 29 CFR 825.120; 29 CFR 825.121).

##### 621.4.3 MILITARY EXIGENCY LEAVE

Eligible employees may take service member leave of up to 12 weeks for qualifying exigencies occurring because a spouse, child, or parent is on covered active duty or has been notified of an impending order to active duty (29 USC § 2612(a)(1)(E); 29 CFR 825.200). This type of leave is available to a family member of a person in the National Guard, Reserves, or members of the regular Armed Forces deployed to a foreign country. Qualifying exigencies include (29 CFR 825.126):

- Addressing issues that arise from a short notice (seven or less days) deployment.
- Attending military events related to the active duty or call to duty.
- Attending family support or assistance programs.
- Making child care or educational arrangements or attending school activities arising from active duty or a call to active duty.
- Making financial and legal arrangements.
- Spending time with a military member who is on short-term rest-and-recuperation leave during a period of deployment.
- Attending post-deployment activities.
- Addressing issues that arise from the death of a military member, such as making funeral arrangements.
- Caring for a military member's parent who is incapable of self-care, such as providing care on an immediate-need basis or arranging for alternative care.

##### 621.4.4 MILITARY CAREGIVER LEAVE

Eligible employees may take up to 26 weeks of leave in a single 12-month period to care for a spouse, son, daughter, parent, or next of kin who has incurred an injury or illness in the line of duty while on active duty in the Armed Forces, provided that such injury or illness may render the family member medically unfit to perform work (29 USC § 2612; 29 CFR 825.200).

Military caregiver leave is also available to family members of covered veterans who were members of the Armed Forces, including the National Guard or Reserves, at any point in the five years preceding the date on which the veteran undergoes medical treatment, recuperation, or therapy (29 USC § 2612; 29 CFR 825.127).

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During the single 12-month period, employees are entitled to no more than a combined total of 26 weeks of FMLA leave. In any case in which both spouses are employed by the City, the combined number of workweeks of leave is limited to 26 workweeks during any 12-month period (29 USC § 2612(f); 29 CFR 825.127).

Service member FMLA leave runs concurrent with other leave entitlements provided under federal, state, and local law. Where FMLA leave qualifies as both military caregiver leave and care for a family member with a serious health condition, the leave will be designated as military caregiver leave first.

#### **621.4.5 INTERMITTENT LEAVE**

An employee may take leave for the employee's own serious health condition, for the serious health condition of the employee's spouse, child, or parent, or to care for a covered service member with a serious injury or illness, intermittently or on a reduced schedule if medically necessary, and if that medical need can best be accommodated by an intermittent schedule as defined in federal law (29 USC § 2612(b); 29 CFR 825.202; 29 CFR 825.124).

Leave due to a military exigency may be taken on an intermittent or reduced leave schedule (29 CFR 825.202).

Intermittent leave for the birth, adoption, or foster care placement of a child is only available if granted at the discretion of the City Manager, unless the employee has a serious health condition in connection with the birth or if the newborn child has a serious health condition (29 CFR 825.120; 29 CFR 825.121).

Intermittent leave for any employee shall be tracked and calculated.

#### **621.4.6 PREGNANCY DISABILITY LEAVE**

Pregnant employees who are disabled by pregnancy may be entitled to a disability leave in addition to any FMLA leave. The duration of leave is dependent on the circumstances. The City Manager shall defer to a pregnant employee's qualified health care professional in assessing the employee's ability to work.

#### **621.5 EMPLOYMENT BENEFITS WHILE ON LEAVE**

While on leave, employees will continue to be covered by any group health insurance to the same extent that coverage is provided while the employee is on the job (29 USC § 2614(c); 29 CFR 825.209). However, employees will not continue to be covered under non-health benefit plans.

Employees are responsible for any health plan employee contributions while on leave (29 CFR 825.210). Employee contribution rates are subject to any change in rates that occurs while the employee is on leave. If an employee fails to return to work after the leave entitlement has been exhausted or expires, the City may recover its share of health plan premiums for the entire leave period unless the employee does not return because of the continuation, recurrence, or onset of a serious health condition of the employee or the employee's family member that would entitle the employee to leave, or because of circumstances beyond the employee's control (29 CFR

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825.213). The City may recover premiums through deduction from any sums (e.g., unpaid wages, vacation pay).

Employees may not earn additional time off while on unpaid leave.

#### **621.6 SUBSTITUTION OF PAID ACCRUED LEAVES**

Subject to applicable employment agreements and civil service rules, employees are required to exhaust all applicable paid accrued leave before taking unpaid leave. Paid accrued leave includes vacation leave, sick leave, personal leave, and compensatory time earned in lieu of overtime, pursuant to the Fair Labor Standards Act, during FMLA leave. Employees may not use paid accrued leave to extend FMLA leave beyond 12 workweeks per year.

#### **621.7 USE OF FMLA LEAVE**

If an employee takes a leave of absence for any reason that is FMLA qualifying, the City may designate that non-FMLA leave as running concurrently with the employee's 12-week FMLA leave entitlement.

#### **621.8 PROCEDURES**

The following procedures will apply for all employees requesting leave under FMLA:

- (a) When a leave is requested for a medical or other FMLA-related treatment appointment, the employee must make a reasonable effort to schedule the appointment at a time that minimizes disruption to city operations (29 USC § 2612; 29 CFR 825.302).
- (b) An employee who wishes to take FMLA leave must provide the employee's supervisor with 30 days' advanced notice when the leave is foreseeable or as soon as practicable if the need for leave is not foreseeable (29 USC § 2612; 29 CFR 825.302; 29 CFR 825.303).
- (c) At the time of the request, the employee must complete an FMLA request form.

Requests for medical leave shall be accompanied by a qualified health care professional statement, including the date on which the serious health condition began and the estimated date of return to work (29 USC § 2613; 29 CFR 825.302).

Once the leave is requested or designated by the City, the supervisor should forward the request and any medical certifications to the City Manager or the authorized designee and ensure the employee is provided the necessary forms and FMLA information and required notices within five business days (29 CFR 825.300).

Employees are required to provide medical certification of a qualified health care professional or military documentation, if requested (29 CFR 825.305; 29 CFR 825.308; 29 CFR 825.309; 29 CFR 825.310).

Employees shall be required to periodically report on their status and intent to return to work (29 USC § 2614; 29 CFR 825.311). This may assist in avoiding a delay in reinstatement when the employee is ready to return to work.

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Employees returning from a medical leave for the employee's own serious health condition will be required to present medical verification from a qualified health care professional of the employee's ability to return to work and a list of any restrictions that need to be accommodated (29 USC § 2614; 29 CFR 825.100; 29 CFR 825.312).

#### **621.9 REINSTATEMENT FOLLOWING LEAVE**

Generally, employees returning from FMLA leave within the qualified period will be restored to their original job or to an equivalent job with equivalent pay and benefits (but not seniority), unless the employee would not otherwise have been employed at the time reinstatement is requested (e.g., in the case of a layoff) (29 USC § 2614; 29 CFR 825.214; 29 CFR 825.216).

If the same position is no longer available, such as in a layoff, the employee will be entitled to a position that is comparable in pay, job content, and promotional opportunities and geographic location, if such a comparable position exists.

If upon return from leave an employee is unable to perform the essential functions of the job because of a physical or mental disability, the supervisor should work with the City Manager or the authorized designee to engage in an interactive process with the employee to identify a potential reasonable accommodation.

After exhausting paid FMLA leave, non-paid leave will continue until the conclusion of the protected 12- or 26-week time limit. Following the protected leave, the City Manager or the authorized designee in consultation with the legal counsel will determine whether non-FMLA leave should apply.

#### **621.10 RESPONSIBILITY**

The responsibilities of the City Manager or the authorized designee include but are not limited to (29 CFR 825.108; 29 CFR 825.110; 29 CFR 825.112; 29 CFR 825.300; 29 CFR 825.301):

- (a) Attempting to determine whether an employee absence of four or more days may qualify as FMLA leave.
- (b) Determining if an employee is eligible for FMLA leave.
- (c) Determining if leave is for an FMLA-qualifying reason.
- (d) Granting or denying a request for FMLA leave and providing designation notice to the employee within five business days of designation.
- (e) Providing eligibility notice to the employee within five business days of the request for FMLA leave or when acquiring knowledge that an employee's leave may be for FMLA.
  1. If the employee is not eligible for FMLA leave, the notice must state at least one reason why the employee is not eligible.
- (f) Providing a written rights and responsibilities notice each time the eligibility notice is provided to an employee.

The City Manager or the authorized designee should work with legal counsel regarding questions relating to leave or reinstatement from leave under this policy.

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##### **621.11 RECORDS**

The City will maintain leave-related records as required by 29 CFR 825.500 for at least three years and in compliance with the city's established records retention schedule.

Records and documents related to doctor certifications and other medical information created for purposes of complying with FMLA and this policy shall be maintained as confidential medical records in separate files from employee personnel files.

##### **621.12 NOTICE TO EMPLOYEES**

The City Manager or the authorized designee should ensure that a notice explaining the FMLA's provisions and procedures is prominently posted in conspicuous places in the City where it can be readily seen by all employees and applicants for employment. Electronic posting is sufficient as long as the other posting requirements have been met as provided by 29 CFR 825.300 (29 CFR 825.300).

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## Leave of Absence

### 622.1 PURPOSE AND SCOPE

This policy provides general guidance regarding the use and processing of various types of leave.

This policy is not intended to cover all types of leave. For information regarding sick leave refer to the Sick Leave Policy. For information regarding FMLA refer to the FMLA policy.

### 622.2 POLICY

It is the policy of Roosevelt City to provide eligible employees with leave benefits.

### 622.3 VACATION LEAVE

Except as provided by contract, each full-time employee and expressly included appointee shall receive annual vacation leave ("vacation") Please refer to section 622.3.1 for the formulas used to calculate vacation accruals and carry over limits. All vacation hours taken must be pre-approved by the employees' direct supervisor in advance. It is recommended that an employee requests to use vacation time at least 2 weeks in advance to ensure proper coverage. An employee's supervisor may deny a vacation request for good cause, for lack of sufficient coverage, because the request is for too many days at once, or if the employee fails to request the time within the recommended 2-week notice period. In the event of separation from employment, it is the policy of Roosevelt City to pay out vacation leave in the following manner:

- If an employee resigns and provides and completes a proper notice of at least 2 weeks, the employee will be paid out their vacation balance in full.
- If an employee is terminated for cause, the employee will be paid out vacation time up the amount of the maximum accrual rate range to which they are covered based on length of employment with the city.
- Upon retirement, the employee will be paid out their vacation time in full as long as they have provided at least a 2 week notice of their intent to retire.
- If an employee passes away, on or off the job, the employee's final paycheck will include their vacation balance paid in full.

Time-off requests must be made through the current payroll software. Employees may take full days, half days, or time off to bring each week in the pay period to 40 hours.. As an example, if an employee works 45 hours the first week of the pay period and then works 32 hours the second week, they may use up to 8 hours of vacation to bring that week to 40 hours. Vacation time will not be counted as "time worked" and will not be counted towards overtime. Full time, non-exempt, employees are not required to bring their pay period hours to 80 in any given pay period by using small amounts of vacation, they will simply be paid for hours worked(please refer to this handbook for more information on time keeping, requirements for hours worked, and job performance policies as regular occurrences of not completing a 40 hour work week could affect the employees good standing and could lead to discipline per the City's progressive discipline policy)

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#### *Leave of Absence*

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##### 622.3.1 VACATION LEAVE ACCRUAL

Except as provided by contract, each full-time employee and expressly included appointee shall receive annual vacation leave ("vacation") at the following rate. All carryover limits for vacation time will be enforced at the end of each fiscal year, meaning **employees who do not use vacation time and accrue more than their maximum carry over limit will forfeit those hours at midnight on June 30 of each year in conjunction with the ending of the fiscal year.** The following formulas will be used to determine how many vacation hours an employee receives and can carry over.

1st year	80 hours (3.0769 hours per pay period with a maximum carry over of 80 hours)
2nd - 4th years	96 hours (3.6923 hours per pay period) with a maximum carry over of 96 hours
5th - 9th years	128 hours (4.9230 hours per pay period) with a maximum carry over of 128 hours
10th and beyond	168 hours (6.4615 hours per pay period) with a maximum carry over of 168 hours

##### 622.4 ADMINISTRATIVE LEAVE

Admin leave is used as an incentive for full time salaried employees and given out by the employee's department head with final approval from the city manager. Each full-time salaried employee is eligible for up to 48 hours of admin leave per year that will be awarded with the new fiscal year. The employee's eligibility will be based on their performance reviews. If a full-time salaried employee feels that they were not given a fair evaluation to receive the full 48 hours, they may appeal this decision to the City Manager, City Recorder, and HR Manager as a group. To receive the full 48 hours, employee must have completed at least 1 year of service, receive an outstanding performance evaluation, and not have any documented discipline in their file for the last 12 months. Admin leave cannot be carried over from year to year. Admin leave will not be paid out when an employee leaves the city or is terminated. The City Manager may award Admin leave to other employees as an incentive for outstanding performance or in other situations where the City Manager deems it appropriate.

##### 622.5 HOLIDAY LEAVE

Permanent full-time employees and expressly included appointees are given the following paid holidays each year:

- New Year's Day, 1st of January
- Human Rights Day, 3rd Monday in January
- Presidents Day, 3rd Monday in February
- Memorial Day, last Monday in May
- Independence Day, 4th day of July
- Pioneer Day, 24th day of July

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- Labor Day, 1st Monday in September
- Veterans Day, 11th day of November
- Thanksgiving Day, 4th Thursday in November
- Day After Thanksgiving
- Christmas Eve, 24th of December
- Christmas Day, 25th day of December

Holidays falling on Sunday will be observed the following Monday, holidays falling on Saturday will be observed the previous Friday.

Non-exempt full-time employees who are required to work on a holiday will be paid holiday pay as well as time for the hours worked.

Any departmental exemptions to this holiday policy would need to be approved by the city manager.

#### **622.6 BEREAVEMENT LEAVE**

The city manager or designee shall grant full-time employees and/or expressly included appointees up to three days of funeral leave with pay to attend the funeral of the employee's spouse, child, stepchild, daughter or son-in-law, parent, stepparent, grandchild, mother or father-in-law, sister or brother-in-law, grandparent, spouses' grandparent, brother, or sister. Such leave shall not be charged against accrued sick or vacation leave. Three days shall be the maximum time allowed per occurrence.

#### **622.7 MILITARY LEAVE**

A full-time employee shall be granted leave with compensation for the difference in salary for active duty in the National Guard or in the Armed Forces reserves for the purpose of fulfilling annual field training. Paid military leave shall not exceed 10 working days in any one calendar year.

#### **622.8 JURY DUTY LEAVE**

All full-time employees and expressly included appointees will be granted leave with full pay when performing jury duty or when required to serve as a witness in any municipal, county, state, or federal court, or before an administrative tribunal. Paid leave will not be granted when the employee is serving as his own witness in financial and related suits in which they are a party.

## Discipline

### 623.1 PURPOSE AND SCOPE

Roosevelt City may discipline members as set forth herein. These administrative procedures have been established for the handling of disciplinary measures when required. In general, discipline will be imposed using progressive discipline; however, the use of progressive discipline is strictly within the discretion of City Administration. City Administration reserves the right to impose any level of disciplinary action, up to and including termination that is appropriate to the conduct and is consistent with previous discipline imposed by the City.

### 623.2 POLICY

It is the responsibility of all members to understand and observe rules of conduct necessary for the proper operation and professionalism. It is the responsibility of the supervisor to communicate to members when they are not meeting expectations or when their actions or inactions may result in discipline. Supervisors are ultimately responsible to manage their employees and be responsible for the disciplinary process. Generally, Human Resources will provide assistance and support to supervisors who have an employee involved in a disciplinary action. Human Resources will evaluate the situation and provide recommendations for consistency and the proposed level of disciplinary action to be imposed.

### 623.3 TYPES OF DISCIPLINARY ACTION

The City may impose any level of discipline described below, up to and including termination that is appropriate to the conduct and is consistent with previous discipline imposed by the City.

See attached: [Employee Disciplinary Form](#)

#### 623.3.1 VERBAL COACHING

Whenever grounds for disciplinary action exist, a supervisor may discipline a member utilizing verbal coaching. Verbal coaching is an informal level of disciplinary action and provides a supervisor the opportunity to verbally coach and counsel a member regarding minor matters or violations. The supervisor is responsible to follow up, provide feedback, and give support to a member subject to verbal coaching.

- (a) Supervisors are responsible to keep personal notes of conversations where verbal coaching was utilized. If further disciplinary action is warranted these notes may be used to show expectations were communicated to the member.
- (b) The personal notes and any documentations regarding verbal coaching will usually not be put into an employee's personnel file.

#### 623.3.2 DOCUMENTED VERBAL WARNING

Whenever grounds for disciplinary action exist, a supervisor may discipline a member utilizing a Documented Verbal Warning. The Documented Verbal Warning is an initial warning for an issue of significance or as a component of progressive discipline of a smaller issue(s) not corrected.

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- (a) Supervisors are responsible to provide documentation with the issues addressed using this level of discipline.
- (b) Supervisors will usually conduct the Documented Verbal Warning meeting and review the issue(s).
- (c) Human Resources may also attend these meetings as requested.
- (d) Employees will be provided with a copy of the Documented Verbal Warning. Members will be asked to sign the supervisor copy of the form. If a member refuses to sign the document, it will be noted on the supervisors copy that a copy of the warning was given to the employee and the employee refused to sign.
- (e) A copy of the Documented Verbal Warning and supporting documents, if any, will be placed in an employee's personnel file and may be used as evidence and support if further violations occur.

#### 623.3.3 WRITTEN WARNING

Whenever grounds for disciplinary action exist, a supervisor may discipline an employee utilizing a Written Warning. A written warning is a formal notice of disciplinary actions and provides a supervisor the opportunity to formally notify the member of more serious violations and establish expectations. Written Warnings are usually used for a significant incident(s) or as a component of progressive discipline.

- (a) Supervisors are responsible to provide documentation with the issues addressed using this level of discipline.
- (b) Supervisors will usually conduct Written Warning meetings and review the issue(s).
- (c) Human Resources shall review the disciplinary form with the supervisor to ensure that it accurately addresses the behavior or issue involved.
- (d) Human Resources may also attend these meeting as requested.
- (e) Members will be provided with a copy of the Written Warning. Members will be asked to sign the supervisor copy of the form. If a member refuses to sign the document, it will be noted on the supervisor copy that a copy of the warning was given to the member and the member refused to sign.
- (f) A copy of the Written Warning and supporting documents, if any, will be placed in a member's personnel and may be used as evidence and support if further violations occur.
- (g) This level of discipline may affect a member's yearly evaluation rating and yearly compensation increases if one is given.

#### 623.3.4 SUSPENSION

Whenever grounds for disciplinary action exist, a direct supervisor and Department Head may discipline a member utilizing a Suspension of two or less days without compensation. A suspension of greater than two days requires consultation with Human Resources. Suspension is a temporary disassociation between the member and the workplace. Suspension is usually

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used for a significant incident(s) or as a component of progressive discipline. City may suspend a member with or without pay for up to, but not exceeding, 30 calendar days.

- (a) When proposing to suspend a member for more than two days without pay, Human Resources shall ensure that the City complies with the due process proceedings set forth below.
- (b) The City may investigate the behavior or issue(s) involved, or request an investigation to be performed by a conflict party. Human Resources shall review the disciplinary form with the Department Head to ensure that it accurately addresses the behavior or issue(s) involved in the Suspension.
- (c) Department Head will usually conduct Suspension meetings and review the issue(s).
- (d) Human Resources shall also attend these meetings.
- (e) Members will be provided with a copy of the Suspension disciplinary form. Members will be asked to sign the supervisor copy of the form. If a member refuses to sign the document, it will be noted on the supervisor copy that a copy of the suspension was given to the member and the member refused to sign.
- (f) A copy of the suspension document and supporting documents, if any, will be placed in a member's personnel file and may be used as evidence and support if further violations occur.
- (g) This level of discipline may affect a member's evaluation rating and yearly compensation increases if one is given.
- (h) A member on suspension shall be responsible for making full employee contributions to their employee insurance benefits.

#### 623.3.5 DEMOTION

Whenever grounds for disciplinary action exist, the City may discipline an employee utilizing a Demotion. Demotion is reducing a member's remuneration and may or may not include a transfer to a different job assignment within the member's current department or to another department within the City. Demotion is usually used for a significant incident(s) or as a component of progressive discipline. This level is usually used for a member who is consistently not performing at the needed level for his current assignment but has shown the ability to be an effective member with less responsibility or reduced job duties.

- (a) When proposing to demote a member Human Resources shall ensure that the Department complies with the due process proceedings set forth below.
- (b) The City may investigate the behavior or issue(s) involved, or request an investigation to be performed by a conflict party. Human Resources will review the disciplinary form with the commander to ensure that it accurately addresses the behavior or issue(s) involved in the Demotion.
- (c) The Assistant City Manager will usually conduct demotion meetings and review the issue(s).
- (d) Human Resources shall also attend these meeting as needed.

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- (e) Members will be asked to sign the copy of the Demotion. If a member refuses to sign the document, it will be noted on the copy that a copy of the demotion was given to the member and the member refused to sign.
- (f) A copy of the demotion documentation and supporting documents, if any, will be placed in a member's personnel and may be used as evidence and support if further violations occur.
- (g) This level of discipline may affect a member's evaluation rating and yearly compensation increases if one is given.

#### **623.3.6 TERMINATION**

Whenever grounds for disciplinary action exist The City may discipline an employee utilizing a Termination. Termination is the permanent disassociation between the member and the City. Termination is usually used for a significant incident(s) or as a component of progressive discipline.

- (a) When proposing to terminate a member Human Resources Manager shall ensure that the City complies with the due process proceedings set forth below.
- (b) The City may investigate the behavior or issue(s) involved. If the City determines there is a conflict of interest, the City may request the investigation be completed by a third party.. Human Resources will review the disciplinary form with the employees Department Head to ensure that it accurately addresses the behavior or issue(s) involved in the Termination.
- (c) The Department Head will usually conduct Termination meetings and review the issue(s).
- (d) Human Resources shall attend these meetings.
- (e) Members will be asked to sign the supervisor copy of the Demotion. If a member refuses to sign the document, it will be noted on the supervisor copy that a copy of the termination was given to the member and the member refused to sign.
- (f) A copy of the termination document and supporting documents, if any, will be placed in a member's personnel and may be used as evidence and support if further violations occur.
- (g) Employees who are terminated will not be eligible for rehire.

#### **623.4 CAUSE FOR DISCIPLINARY ACTION**

Cause for disciplinary shall include the following:

- Any violations of the federal and state constitutions and all applicable laws, ordinances, and rules enacted or established pursuant to legal authority.
- Any violations of the policy or procedures contained within the Roosevelt City Corporation manual.

#### **623.5 INVESTIGATION PROCESS**

A department supervisor will initiate an investigation into any member suspected to be in violation of any federal, state, local law or department or city policy. The supervisor initiating the investigation will determine the following:

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- (a) If the violation requires the member to be removed from duty and placed on administrative leave.
- (b) Any supervisor may place a member of their team on administrative leave. The City Manager will be advised as soon as feasible through the chain of command.
- (c) The member will be served a written Administrative Leave order from their supervisor outlining the purpose and restrictions related to the administrative leave when feasible.
- (d) If the violation may result in major discipline or is a crime.
- (e) Major discipline is discipline that may result in more than two days suspension, demotion, or termination.
- (f) A reported violation that may result in major discipline or is a crime if it is substantiated, the City Manager will be advised as soon as feasible through the chain of command..
- (g) Following the investigation, the Department Head shall propose the type of discipline involved and with consent of Human Resources will impose discipline.
- (h) If the violation may result in minor discipline:
  - 1. Minor discipline is discipline that may result in less than two days suspension, a written warning, a documented verbal warning, or verbal coaching.
  - 2. A supervisor may impose minor discipline of verbal coaching, a documented verbal warning, or a written warning.
- (i) Only a Department Head may impose any suspension. Members will be interviewed, and the result of that interview will be documented with HR.
- (j) Members may be disciplined up to termination for failure to participate in the interview or for misrepresentation during any interview.

#### **623.6 DUE PROCESS AND IMPOSING DISCIPLINARY ACTION**

The City Manager and Human Resources shall ensure that disciplinary action and discipline are administered in a consistent legal manner.

Each member shall be afforded prior access to the City rules, policies, and procedures.

In determining the type and severity of the disciplinary action, the HR Manager shall consider if the disciplinary action is appropriate to the conduct and is consistent with previous discipline imposed by the City and may consider aggravating and mitigating circumstances which include, but are not limited to, the repeated nature of misconduct; prior disciplinary action imposed; the severity of the misconduct; the member's work record; the effect on the Department's operations; and/or the potential of the misconduct to harm person(s) or property.

Disciplinary action that involves a termination, suspension for more than two days without pay, or transfers from one position to another with less remuneration shall not be imposed until an informal pre-disciplinary hearing, with appropriate written notice to the member. The pre-disciplinary hearing investigation shall include a presentation of the allegations, potential disciplinary action, and an opportunity for the member to respond to the allegations and make written responses

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within five business days of the pre-disciplinary hearing. All such written responses shall be placed in the member's personnel file.

With respect to discipline that imposes a termination, suspension for more than two days without pay, or involuntary transfer from one position to another with less remuneration, Human Resources shall ensure that a formal written decision/statement is given to the member that includes findings of the investigation and response to the pre-disciplinary hearing. The written decision/statement shall include:

- (a) The grounds for disciplinary action, including a description of the specific misconduct for which the disciplinary action is being imposed.
- (b) Any prior disciplinary action imposed.
- (c) The disciplinary action to be imposed.
- (d) The effective date and duration of the disciplinary action.
- (e) The corrective action necessary, if any, for the employee to avoid further disciplinary action.
- (f) A statement that includes the following notification: Notice: Pursuant to
- (g) Utah Code Ann. § 10-3-1106(3)(a)(i)(2008) (as amended from time to time), you have ten (10) calendar days in which to file a written notice of appeal with the City Recorder from the discipline referenced herein. If you fail to file the written notice of appeal required by Utah Code Ann. § 10-3-1106(3)(a)(i)(2008) (as amended from time to time) within such ten (10) day period, you will have irrevocably waived your right to appeal the foregoing discipline to the Employee Appeal Board, and discipline will be implemented.
- (h) Suspension, demotion, transfer, or termination of an employee shall require the approval of the Department Head and Human Resources. Due process notes and findings will be kept in a separate file from the employee file.

#### **623.7 APPEALS**

Probationary, seasonal, part-time and temporary employees have no appeal rights.

Members may not appeal verbal coaching by a supervisor.

Members may appeal verbal and written warnings to the Assistant City Manager. The appeal must be made in writing no later than ten business days from the date of service of the discipline. The findings of the Assistant City Manager are final and no further right of appeal will exist. If the Assistant City Manager is the subject of the discipline it may be appealed to the Mayor. The findings of Mayor are final and no further right of appeal will exist.

The City Manager shall serve as the appeal board or hearing officer described in Utah Code 10-3-1106

Members may appeal suspension, demotion, and termination to the City Manager. The appeal must be made in writing no later than ten business days from the date of service of the discipline.

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Members, except those members excluded from the right to appeal, may appeal the termination, suspension for more than two days without pay, or involuntary transfer from one position to another with less remuneration as outlined in Utah Code Ann. §§ 10-3-1105 and 1106 (Amended by Chapter 321, 2012 General Session) (as amended from time to time).

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# Utah Occupational Safety and Health Administration (OSHA) Requirements

## 624.1 PURPOSE AND SCOPE

This policy provides general guidance regarding UOSHA requirements to employees of the Roosevelt City Corporation.

## 624.2 POLICY

It is the policy of Roosevelt City to train all employees on UOSHA Requirements and maintain a safe working environment.

## 624.3 POSTING UOSHA NOTICES

Roosevelt City will post all required UOSHA notices in conspicuous places (such as employee bulletin boards or where similar notices are usually posted). Employees may obtain additional information from the Human Resource Manager when they have questions about any of the standards which are provided under UOSHA.

## 624.4 INSPECTION PROCEDURES

All employees should follow the procedures listed below in the event an inspector from UOSHA presents themselves on the job site.

- (a) If an inspector arrives on the job site, an employee should understand that they are not authorized to offer any information requested by the inspector.
- (b) The employee will inform the inspector that the employee will contact the employee's supervisor, who will accompany the inspector during any inspection.
- (c) Human Resources should make sure that all employees know who they are required to contact, including all alternates, in the event an UOSHA inspector shows up on the job site.
- (d) If the UOSHA inspector does not reveal the appropriate credentials at the outset of the inspection, the supervisor should ask the inspector to reveal their credentials and should examine them before allowing an inspection of the job site.
- (e) Employees should not refuse an inspection of the job site where the inspector does not have a warrant to inspect.
- (f) If the credentials are appropriate, and before beginning the inspection, the supervisor should ask the inspector the reason the inspection is being conducted. If it is routine, no further requests are required. If the inspection was due to an employee complaint, the supervisor should request a copy of the complaint. This will help Roosevelt City correct any safety problems (Please Note: Under no circumstances should the information received on an employee complaint be used for disciplinary action toward an employee as this type of action is prohibited by law).
- (g) The supervisor should accompany the inspector during the entire inspection of the job site.

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#### *Utah Occupational Safety and Health Administration (OSHA) Requirements*

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- (h) The supervisor should take notes throughout the entire inspection. The supervisor should note every comment and observation made by those participating in the inspection. The supervisor, accompanying the inspector, should not volunteer any unsolicited information.

#### **624.5 ACCIDENT REPORTING PROCEDURES**

Employees who are injured in connection with employment, regardless of the severity of the injury, must immediately notify Human Resources or their supervisor, if possible, who will ensure prompt and qualified medical attention is provided and all required UOSHA reporting are completed. Employees who do not and/or will not accept qualified medical attention when directed by Roosevelt City shall be subject to disciplinary action.

Human Resources will investigate the job-related injury to determine the cause of the injury.

Roosevelt City shall contact UOSHA within 12 hours of the occurrence of any job-related death, disabling, serious, or significant injury, and/or any occupational disease. If an employee later dies as a result of work-related injury, Roosevelt City shall file a report with UOSHA within 12 hours of first knowledge or notification of the death.

Roosevelt City shall track all injuries internally and record UOHSA recordables in the UOSHA 300 log.

Roosevelt City shall give the employee a copy of the injury report and explain the employee's rights and responsibilities concerning the work-related injury or occupational disease.

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## Employee Benefits

### 625.1 PURPOSE AND SCOPE

This policy provides general guidance regarding the benefits provided to employees and expressly included appointees of the Roosevelt City Corporation.

### 625.2 POLICY

It is the policy of Roosevelt City to provide benefits to all eligible employees and expressly included appointees. The City Manager may elect to wave any required waiting periods for insurance.

### 625.3 EMPLOYEE BENEFITS

**Medical Health Insurance** - Medical insurance is available for all full-time employees and expressly included appointees.

**Life Insurance** - Basic life insurance and AD&D insurance is available for all full-time employees and expressly included appointees. Additional group term, spouse coverage, and AD&D are also available at the employee's expense.

**Disability Insurance** - Disability insurance coverage is available for full-time employees and expressly included appointees starting the first day of employment.

**Dental Insurance** - Dental insurance coverage is available for full-time time employees and expressly included appointees if the employee agrees to and pays a portion of the cost of the premium.

### 625.4 STATE AND FEDERAL UNEMPLOYMENT

All employees and expressly included appointees are covered by the benefits of State and Federal Unemployment. Contributions of the employee and Roosevelt City will be made in accordance with the provision of the law.

### 625.5 RETIREMENT SYSTEM

The retirement for all full-time employees, expressly included appointees and eligible elected officials is through the Utah State Retirement System pursuant to Utah State Code 1953 as amended. This benefit is available the first day of full-time employment. Additional information is available from the Human Resource Manager.

Below is an outline of the amounts that can be applied toward the basis calculation of retirement from the following leave cash outs:

- **Vacation Leave** - if authorized by the City Manager or designee, vacation maybe cashed out. Of this cash out amount, only the amount that could have been accrued for in the past year from the date of cash out can be applied toward the basis of the retirement calculation.
- **Sick Leave** – at the end of each fiscal year, any employee that has in excess of 300 hours will be required to rollover into a personal retirement savings plan such as a

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401K, 457, or IRA. Only those excess hours that could have been accrued for in the most recent years' time will be allowable toward the basis of the retirement calculation.

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## Education and Training

### 626.1 PURPOSE AND SCOPE

This policy provides general guidance the regarding tuition reimbursement for tuition and fees for approved training and education.

### 626.2 POLICY

It is the policy of Roosevelt City to provide tuition and fee reimbursement for approved training and education directly related to a specific job function for eligible employees.

#### 626.2.1 DISCLAIMER

During times when the budget is strained and funds are low or unavailable Roosevelt City may determine that it is not feasible to offer the Education and Training benefit.

### 626.3 GENERAL STANDARDS

Roosevelt City may reimburse a full-time employee's tuition and fees for approved training and education. Each individual requesting reimbursement must demonstrate how the classes or program directly relate to the employee's job and how it will be beneficial to the City. Each request will be reviewed on an individual basis and all requests must be pre-approved by the City Manager. The amount of reimbursement will be negotiated by the City Manager. Reimbursement will be contingent upon having a final grade of B or above or the equivalent in a different grading system. The employee must provide written proof of tuition and/or fee expenditures and remain an employee of Roosevelt City for at least one full year for each year or part of a year employee participates in this reimbursement program. If employee terminates employment or is dismissed from employment before the required amount of time is fulfilled, reimbursed costs may be withheld from any exit wages, salary or benefits due from Roosevelt City.

### 626.4 EDUCATION/CERTIFICATION INCREASE

Any employee who wishes to increase their value to Roosevelt City by increasing their education or becoming certified in an area that will benefit Roosevelt City may do so pursuant to the following:

- (a) Certification or degree must be pre-approved by the City Manager.
- (b) Value must be significant enough to warrant an increase.
- (c) Investment of employee in time and effort must coincide with value of increase.
- (d) Certification or degree must be consistent with the position employee holds with Roosevelt City.
- (e) Budget must be available to fund any increase. During times when the budget is strained and funds are low or unavailable the increase will not be available.
- (f) A combination of lesser certificates and/or educational training can be combined to qualify as significant enough to warrant the increase as determined by the City Manager and the employee's supervisor.

## Parental Leave

### 627.1 PURPOSE AND SCOPE

The purpose of this section is to outline opportunities and eligibility for individuals to take parental leave for birth, adoption or placement of children

### 627.2 POLICY

Roosevelt City will provide up to 4 weeks of paid parental leave to employees following the birth of an employee's child or the placement of a child with an employee in connection with adoption or foster care. The purpose of paid parental leave is to enable the employee to care for and bond with a newborn or a newly adopted or newly placed child. This policy will run concurrently with Family and Medical Leave Act (FMLA) leave, as applicable. This policy will be in effect for births, adoptions or placements of foster children occurring on or after 01/01/2023

#### Eligibility

- Be a full- or part-time, regular employee (temporary employees and interns are not eligible for this benefit).
- Have given birth to a child.
- Be a spouse or committed partner of a woman who has given birth to a child.
- Have adopted a child or been placed with a foster child (in either case, the child must be age 17 or younger). The adoption of a new spouse's child is excluded from this policy.

#### Amount, Time Frame and Duration of Paid Parental Leave

- The parent who gave birth to a child will be eligible for up to 4 weeks of paid parental leave per event. An event is described as a birth, adoption, or placement of adopted child. If a parent has twins, this will still count as 1 event and not be eligible to increase parental leave.
- The spouse or partner of a parent who gave birth to a child or had a child placed in their home will be eligible for up to 2 weeks of paid parental leave.
- Employees must take paid parental leave in one continuous period of leave and must use all paid parental leave during the [enter number]-month time frame indicated above. Any unused paid parental leave will be forfeited at the end of the [enter number]-month time frame.
- Upon termination of the individual's employment at the company, he or she will not be paid for any unused paid parental leave for which he or she was eligible.
- Paid parental leave taken under this policy may run concurrently with leave under the FMLA, if an employee is eligible for FMLA leave; thus, any leave taken under this policy that falls under the definition of circumstances qualifying for leave due to the birth or placement of a child due to adoption or foster care, the leave will be counted toward the 12 weeks of available FMLA leave per a 12-month period. All other requirements and provisions under the FMLA will apply. In no case will the total amount of leave—

# Roosevelt City Corporation

## Government Manual

### Government Manual

#### *Parental Leave*

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whether paid or unpaid—granted to the employee under the FMLA exceed 12 weeks during the 12-month FMLA period. Please refer to the Family and Medical Leave Policy for further guidance on the FMLA

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## Compt Time Policy

### 628.1 PURPOSE AND SCOPE

The purpose of this section to clarify and provide information about comp time options, in lieu of overtime compensation for certain hourly employees.

### 628.2 POLICE

All hourly employees are eligible to accrue comp time in lieu of overtime. Comp Time is accrued at 1.5 times the number of overtime hours earned. For example: Employee 1 works 5 hours of overtime. Instead of being paid 1.5 times their hourly rate, the employee would accrue 7.5 hours of comp time to be used as time off at a later date. Employees will be in 1 of two comp time accrual categories. The first category is employees who work regular full-time hours year-round, such as Public Works employees, Police, or admin employees who are paid hourly, will be allowed to accrue up to 80 hours of comp time, and at the end of each fiscal year employees who are carrying a balance of comp time will be paid out for those hours in full. The second category is for employees who work for Parks, Golf, or Recreation whose job duties significantly decrease due to weather or closure of worksite. These employees will be allowed to accrue 360 hours of comp time from March through October each year. These employees will be able to use the accrued comp time hours from November through February to ensure a full 40-hour work week. Employees who have comp time hours reaming on March 31 of each year will be paid out for hours accrued during the previous season.

#### Comp Time vs Overtime

Employees who are in category 1 may choose each pay period to accrue comp time or be paid out for overtime. This choice is made in our current timekeeping system, Tyler Time & Attendance. Upon approval of each pay period's hours, employees are allowed to accept the comp time accrual, or through prompts in the system, may convert the comp time to overtime pay.

Employees in Category 2 may elect to convert up to 8 hours each pay period as overtime, and any hours above 8 must go into their comp time bank so as to allow for a bank of hours to accrue to carry them through slower winter months.

## Attachments

**Fillable PDF Rehire Employee Packet Fillable.pdf**

# Employee Rehire Form (01/09/2018)



## EMPLOYEE INFORMATION

Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Email Address \_\_\_\_\_

Contact Number \_\_\_\_\_

Marital Status:     Married     Single

Gender:             Male         Female

Date of Birth: \_\_\_\_\_

Social Security # \_\_\_\_\_

Driver's License # \_\_\_\_\_ Class \_\_\_\_\_

Date of Last D.O.T. Physical Exam: \_\_\_\_\_

**Emergency Contact** \_\_\_\_\_

Relationship to employee \_\_\_\_\_

Contact Phone # \_\_\_\_\_

I have filled out the Payroll Direct Deposit Summary

I have read, understand and accept the policy manual terms

## SUPERVISOR INFORMATION

Replacing existing position     Newly created position

Hire Date \_\_\_\_\_

Department \_\_\_\_\_

Position \_\_\_\_\_

Pay Rate \_\_\_\_\_

I have reviewed the job description, benefits, and policy hand book with our new employee.

Supervisor\* \_\_\_\_\_ Date \_\_\_\_\_

*\*Make sure all forms have been filled out, verified, and documentation provided for the following:*

W-4 -or-  Same

Direct Deposit Authorization -or-  Same

I-9 Immigration Form -or-  Same

Equal Employment Opportunity -or-  Same

Utah New Hire Registry Reporting Form -or-  Same

Payroll Direct Deposit Summary -or-  Same

Conflict of Interest Form

Personnel Policies & Procedures Manual Acknowledgement

Weight Room Waiver & Liability Release

## Payroll Department Checklist

New Hire Full-Time	Re-Hire Part-Time	Promotion Seasonal
-----------------------	----------------------	-----------------------

Reviewed by City Manager or Assistant City Manager:

Signed: \_\_\_\_\_ Date \_\_\_\_\_

- Conflict of Interest Form
  - Employee Number Assigned \_\_\_\_\_
  - W-4 -or-  Same
  - Electronic W-2 Consent Form -or-  Same
  - Direct Deposit Authorization -or-  Same
  - Equal Employment Opportunity -or-  Same
  - Utah New Hire Registry Reporting Form -or-  Same
  - Add as New Hire w/Dept of Workforce
  - Payroll Direct Deposit Summary -or-  Same
  - I-9 Immigration Form Page 2
  - Create Timekeeper Profile & Assess IT Needs
  - Add to ULGT Driver List
  - Personnel & Procedure Acknowledgment
  - Create/Update Employee Navigator Profile
  - Background Check
  - Remove I-9 to separate I-9 file
  - URS Enrollment/Non-Eligible
  - Notify Supervisor - Employment Approved
- \_\_\_\_\_
- Sent Benefit form(s) to ULGT
  - Update applicable vacation
  - Update applicable sick leave
- URS Enrollment Payroll Code \_\_\_\_\_



**Roosevelt City Corporation  
Electronic W-2 Authorization**

Employees of Roosevelt City Corporation have the option to receive annual W-2 forms in an electronic format via email. In order to receive W-2 forms in this manner, employees must have a valid email address and access to a computer with a PDF viewer. W-2 forms will be delivered as PDF documents in the same format as employee paystubs. Any employees who do not opt-in to receiving their W-2 electronically will be mailed a paper copy.

Employees who opt-in to receiving an electronic W-2 may also receive a paper copy by contacting the Human Resources department and providing proof of identity. Paper copies of W-2 forms will only be issued to the employee, not to any family member or other representative.

Employees may withdraw consent for receiving an electronic W-2 at any time. To withdraw consent, fill out the applicable section of the form below. A withdrawal of consent will take effect on the issuance of the next W-2.

Each employee is responsible for keeping his/her contact information accurate and up-to-date to ensure proper and timely delivery of W-2 forms. To update or change contact information, please fill out the relevant section below.

---

Employee Information:

Name: \_\_\_\_\_ Date of Birth: \_\_\_\_/\_\_\_\_/\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Email Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

- 
- I consent to receive my W-2 form electronically at the email address listed above.
  - I do not consent to receive my W-2 form electronically. I understand that a paper form will be mailed to me at the address listed above.
  - I wish to withdraw my consent to receive my W-2 form electronically. I would like my next W-2 form mailed to me at the address listed above.

---

Employee Signature

---

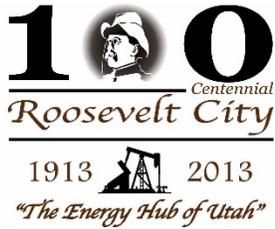
Date

---

Human Resources Staff

---

Date



Roosevelt City Corporation  
255 South State Street  
Roosevelt, UT 84066  
Contact #: (435) 722-5001

**EMPLOYEE APPROVAL OF PREVIOUS HIRE PACKET INFORMATION**

By signing this form, you authorize Roosevelt City to maintain the same information in your personnel records as previously submitted in the most recent personnel packet signed and submitted.

In the event you need to update any portion of your personnel packet, please contact your immediate supervisor for applicable forms you wish to update. Submit completed forms to your supervisor, no later than 5 working days before date of rehire.

If you have questions, please contact your supervisor.

**EMPLOYEE NAME:** \_\_\_\_\_ **(Print Legibly)**

**Check One Option:**

\_\_\_ I authorize Roosevelt City to maintain and use the same information in my personnel file as most recently submitted.

\_\_\_ I authorize Roosevelt City to maintain and use the same information in my personnel file as most recently submitted except the following forms.

\_\_\_ W-4

\_\_\_ Direct Deposit

W-2 Consent

\_\_\_ EEO (Equal Opportunity)

\_\_\_ Email Pay Summary

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

**Supervisor Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_



**Roosevelt City Corporation**

Data for Criminal History Background Check

Full Legal Name \_\_\_\_\_

Alias/Maiden Name (AKA): \_\_\_\_\_

Today's Date \_\_\_\_\_

Waiver

Roosevelt City Corporation  
255 South State Street Roosevelt UT 84066  
(Qualifying Entity)

By signing this from, I authorize the Roosevelt City Police Department, to access and review State and Federal Criminal history records and make reasonable efforts to determine whether I have been convicted of or are under pending indictment for: A crime that bears upon my fitness to be employed or volunteer for a position of trust over students, adults or persons with disabilities, and convey that determination to the qualified entity. Roosevelt City Police Department shall make reasonable efforts to respond to the inquiry within 15 business days.

I do hereby release Utah, Roosevelt City Police Department and/or Roosevelt City, all persons, organization, or government agencies, from damages of, or resulting from, furnishing such information.

I have been provided with a copy of this form. I have read and understood the foregoing and my certification is true and correct to the best of my knowledge and belief.

\_\_\_\_\_  
Prospective Employee/Volunteer Signature

\_\_\_\_\_  
Date

# Right of Access Provider Waiver

Roosevelt City Police Department

## Request to Obtain a Copy of My Utah Criminal History Record

I, the undersigned, am requesting a copy of my Utah Criminal History Record. I understand this record is protected by law (Utah Code Ann. §53-10-108) and may only be released to me by this agency if I appear in person with valid photo identification. This agency is not authorized to retain a copy of this record without my expressed permission.

**Please Print Clearly:**

NAME: _____ (Last) (First) (Middle)		Date of Birth: ____/____/____ (Month) (Day) (Year)	
Previously Used Name(s) (Maiden, Alias, etc):			
Physical Address: _____ (Street) (City) (State) (ZIP)			
Social Security #: _____		Driver License Number: _____ State: _____	

Initials	Please Initial the Box which MOST applies:
	I wish to obtain a copy of my Utah Criminal History Record to take with me today. This agency may NOT retain a copy for any purpose.
	I authorize a release of my Utah Criminal History record, or any part thereof, by and to any duly authorized agent of this agency to accompany my employment, volunteer, licensing, permit application, or other expressed purpose approved by me today. Any information discovered may be used to consider my suitability for the purpose of my application.

I understand these results are not verified by fingerprints and are only valid on the date printed on this record. If I wish to challenge the completeness or accuracy of this record, I must submit a completed *Application to Challenge Criminal History Records* with fingerprints directly to the Bureau of Criminal Identification (BCI) where I may be subject to additional fees (R722-900-6).

I understand this waiver may be kept on file at this agency for a period of at least three years and is subject to review by BCI auditors, whether or not I choose to release my record to this agency today. I agree to indemnify and hold harmless BCI, this agency, elected officials, officers, employees, agents, and volunteers associated with this application process from and against all claims, damages, losses and expenses, including reasonable attorney's fees arising out of or by reason of complying with this request.

A photocopy or electronic copy of this waiver is a valid representation of my original signature and is considered legal and binding just as the original writing of my signature.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### For Office Use ONLY:

Identification Verified: \_\_\_\_\_ Criminal History Completed By: \_\_\_\_\_ Date: \_\_\_\_\_  
(Initials) (Signature)

**FORM – PERSONNEL POLICIES AND PROCEDURES MANUAL ACKNOWLEDGEMENT**  
**(Manual 8-7-2018)**

I hereby acknowledge that I have read and fully understand the personnel policies and procedures of ROOSEVELT CITY CORPORATION as outlined and explained in this manual. Any questions that I may have had, have been explained to my satisfaction and I hereby agree to and accept the policies and procedures as given.

I understand, while it is the policy of Roosevelt City Corporation to establish reasonable rules of employment conduct and to ensure compliance with these rules through a program consistent with the best interest of the City and the employee, THIS MANUAL IS NOT AND SHALL NOT BE CONSTRUED AS AN EXPLICIT OR IMPLIED CONTRACT AND SHALL NOT MODIFY THE EMPLOYEE'S STATUS AS AN AT-WILL EMPLOYEE.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

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

Please Print Name: \_\_\_\_\_

**FORM – ROOSEVELT CITY WEIGHT ROOM**

1. AUTHORIZED PERSONNEL – All year-round Roosevelt City employees, part-time employees 20 years of age or older, including the fire department. Immediate family members of employee must be accompanied by said employee at all times. The use of the weight room is strictly for the use of those employees who have signed the Waiver of Responsibility.

2. RULES FOR WEIGHT ROOM USE –

- A. No food or drink in weight room.
- B. Do not drop or bang weights.
- C. Replace all dumbbells and free weights to racks after workout.
- D. Turn lights and fans off after workout and shut doors.
- E. Avoid tracking mud and dirt onto weight room floor.
- F. No loud music.
- G. Report any damage of equipment to City Manager as soon as possible.

\*\*\*\*\*

**ROOSEVELT CITY WEIGHT ROOM**

**LIABILITY RELEASE**

I, \_\_\_\_\_, an employee of Roosevelt City, have read the above policy governing the use of the Roosevelt city weight room and exercise equipment and upon signing this release, acknowledge that I fully understand the rules and agree to abide by them.

I further agree to indemnify Roosevelt City, its employees, officials, personnel, and/or agents from any and all personal injury or property damage I may sustain while using the exercise equipment and weight room.

SIGNED: \_\_\_\_\_ Date: \_\_\_\_\_

WITNESS: \_\_\_\_\_

This form must be kept on file.

# Roosevelt City Corporation

## Authorization Agreement for Direct Deposit

This form is used for the following: Adding, changing, or terminating a direct deposit. Each account requires a separate form and all changes must be in writing.

To set up a direct deposit you must do the following:

1. Find out if your financial institution accepts direct deposit. Verify the transit (ABA) number and your account number.
2. Determine if your financial institution has any special requirements for receiving a direct deposit.

Please check the appropriate box:

- New set-up  
 Change in information  
 Cancel agreement (termination)

**YOU MUST ATTACH A VOIDED CHECK, DEPOSIT SLIP OR OFFICIAL BANK DOCUMENT TO THIS AUTHORIZATION**

Your financial institution name (depository): \_\_\_\_\_

Routing # (ABA): \_\_\_\_\_ Primary Account #: \_\_\_\_\_

Percentage or amount \_\_\_\_\_  Checking Account  Savings Account

Your financial institution name (depository): \_\_\_\_\_

Routing # (ABA): \_\_\_\_\_ Secondary Account #: \_\_\_\_\_

Percentage or amount \_\_\_\_\_  Checking Account  Savings Account

Your financial institution name (depository): \_\_\_\_\_

Routing # (ABA): \_\_\_\_\_ Additional Account #: \_\_\_\_\_

Percentage or amount \_\_\_\_\_  Checking Account  Savings Account

I hereby authorize **ROOSEVELT CITY CORPORATION** to initiate deposits to my financial institution and if necessary charge the same to the above named financial institution and account.

This authorization is to remain in full force and effect until **ROOSEVELT CITY CORPORATION** has received written notification from me of its termination in such time and in such manner to afford **ROOSEVELT CITY CORPORATION** and Depository a reasonable opportunity to act on it.

EMPLOYEE NAME: \_\_\_\_\_ (please print)

EMPLOYEE SIGNATURE: \_\_\_\_\_ DATE SIGNED: \_\_\_\_\_

Payroll Office Use Only

Processed by \_\_\_\_\_

Date \_\_\_\_\_

# EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER (EEO) NON-DISCRIMINATION INFORMATION

The information contained herein is being maintained solely for the purpose of tracking and reporting the employment practices of Roosevelt City an Equal Employment Opportunity Employer. The information contained herein will be used only for the purpose of ensuring that the city does not and will not discriminate against any employee in its employment practices, i.e.: promotions, wages, classifications, discipline, etc., regardless of sex, race or disability. This is being done in conjunction with Roosevelt City's personnel policy manual. Each employee will be notified that this form will be permanently located in his or her individual personnel file. It is not mandatory!

Employee Name: \_\_\_\_\_

Hispanic or Latino(A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.)

Not Hispanic or Latino

Employee Race

American Indian or Alaska Native  Asian  Black or African American

Native Hawaiian or Other Pacific Islander  White  American Indian or Alaska Native and White

Asian and White  American Indian or Alaska Native and Black or African American

Black or African American and White  Other \_\_\_\_\_ (please specify)

Employee Disability:  No

Yes

Employee Gender:  Female

Male

## UTAH NEW REGISTRY REPORTING FORM

→<http://jobs.utah.gov/newhire/members/employeeDataEntry> →New Member Entry

**Fill out and return to Personnel Department.**

Enter Employee(s)

Enter Employee Information

Required Information

SSN

First Name

Middle (Initial)

Last Name

Street

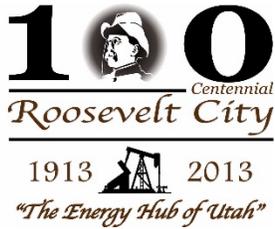
City

State

Zip Code

Hire Date

Birth Date



Roosevelt City Corporation  
255 South State Street  
Roosevelt, UT 84066  
Contact #: (435) 722-5001

**PAYROLL DIRECT DEPOSIT SUMMARY**

**DELIVERY AUTHORIZATION**

Roosevelt City employees have the opportunity to have their biweekly payroll stub delivered to the email address you provide. Indicate below whether or not you wish to take advantage of this.

If you have questions regarding this, please contact John Zilles, Finance Director/Assistant City Manager by email [jzilles@rooseveltcity.com](mailto:jzilles@rooseveltcity.com), or his office direct contact #, 725-7207.

DEPARTMENT WHERE YOU WORK:

Police     Public Works     Fire Department     Administration     Cemetery  
 Parks/Recreation     Golf Course     Swimming Pool     Other \_\_\_\_\_

**PART I:**

EMPLOYEE NAME: \_\_\_\_\_ (Print Legibly)

**PART II:**

I approve receiving my payroll stub by email \_\_\_\_\_  
*Email Address (Print Legibly)*

I decline receiving my payroll stub by email

**PART III:**

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

-----  
*(Payroll Department Use Only)*

Updated in Pelorus on \_\_\_\_\_ (date) \_\_\_\_\_ (Initial)

Employee/Volunteer Name: \_\_\_\_\_ Entity: \_\_\_\_\_

**CONSENT AND AUTHORIZATION TO RELEASE DRIVER INFORMATION**

As an employee/volunteer of the above-referenced Entity, I consent and authorize Entity and its designee, including the Utah Local Governments Trust, to obtain information from the Utah Driver License Division (“Division”) relating to my driving record. Information to be provided by the Division includes name, driver’s license number, date of issuance, whether the license is valid and driving incidents and reports, and other similar driver information specific to employees/volunteers of Entity.

\_\_\_\_\_  
Employee/Volunteer Name (Printed)

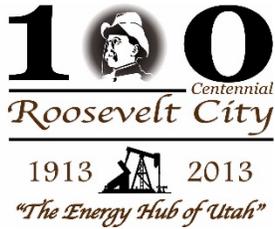
\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date of Birth

\_\_\_\_\_  
Utah Driver License Number

\_\_\_\_\_  
Date of Issuance



Roosevelt City Corporation  
255 South State Street  
Roosevelt, UT 84066  
Contact #: (435) 722-5001

### FULL-TIME EMPLOYEE FUND DEDUCTION AUTHORIZATION FORM

Roosevelt City employees have an opportunity to have funds deducted from their biweekly payroll check to be set aside and used for items such as are listed in Appendix A on the next page. Please fill out the form below to authorize or decline the deduction.

If you have questions regarding this, please contact John Zilles, Finance Director/Assistant City Manager by email [jzilles@rooseveltcity.com](mailto:jzilles@rooseveltcity.com), or his office direct contact #, 725-7207.

DEPARTMENT WHERE YOU WORK:

- Police (\$4.00)
- Public Works, Administration, Parks (\$2.00)
- Other \_\_\_\_\_

**PART I:**

EMPLOYEE NAME: \_\_\_\_\_ (Print Legibly)

**PART II:**

Based on the department group that I have checked, I approve the respective biweekly deduction.

I decline the above stated biweekly deduction.

**PART III:**

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

-----  
*(Payroll Department Use Only)*

Updated in Pelorus on \_\_\_\_\_ (Initial) \_\_\_\_\_ (date)

Appendix A:

The Roosevelt City Employee Funds is used for, but not limited to the following:

1. When employees retire or stops working for Roosevelt City.  
(If an employee has not worked over a year, usually not considered)
2. Illness, surgery or accident in which an employee, council member or the Mayor is not able to work over one (1) month. Gift is approximately \$50.00
3. Employee or employee's children get married. Gift is approximately \$50.00
4. Employee has an immediate family member pass away. Gift is approximately \$100.00
5. Employee Lunch – Usually 1-2 times a year employees get together and go out for lunch or have a luncheon in the Roosevelt City Council room.
6. Employee Breakfast
7. Activities – Employee Bowling night –employee, with partner, go bowling in which the employee funds are used for bowling and meal, at the restaurant or snack bar.
8. March Madness Basketball Bracket Challenge – Employee Luncheon/Prizes
9. Employee funds could be used to purchase gift certificates to be used for ham, turkey, or prime rib during the holidays in Nov-Dec of each year. Each employee would receive a certificate.
10. Cards – Usually signed personally by employees unless employees are not available.
11. Other types of purchases or situations in which the employees are in agreement to use the funds.

**Roosevelt City Personal Improvement  
Plan (December 2020).pdf**



**Performance Improvement Plan (PIP)**

**Employee Name:** \_\_\_\_\_

**Meeting Date:** \_\_\_\_\_ **Dept:** \_\_\_\_\_

**Supervisor Name:** \_\_\_\_\_

**Standard(s) of Performance Reviewed:**(check all that apply):

- |  |                                     |
|--|-------------------------------------|
| <input type="checkbox"/> Productivity    | <input type="checkbox"/> Efficiency |
| <input type="checkbox"/> Teamwork        | <input type="checkbox"/> Quality    |
| <input type="checkbox"/> Attendance      | <input type="checkbox"/> Conduct    |
| <input type="checkbox"/> Other (define): |                                     |

**Specific examples of current performance under review:**

**Improvement Plan** (what is expected, how it should be accomplished, and in what timeframe):

*This is a documented conversation outlining specific expectations for your work conduct and/or performance. The purpose of this discussion is to identify and address current conduct and/or performance issues that must be corrected. These items require your immediate attention.*

Please sign that you have read and understand these expectations.

**Acknowledgment:**

Employee (signature): \_\_\_\_\_ Date: \_\_\_\_\_

Supervisor (signature): \_\_\_\_\_ Date: \_\_\_\_\_

*This performance plan is not intended to be an employment contract or guarantee of continuing employment.*

Copy: Employee

Original: Personnel File

## **Volunteer Application Roosevelt City 2020.pdf**



**ROOSEVELT CITY VOLUNTEER APPLICATION FORM**

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_ Email: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Emergency Contact Name: \_\_\_\_\_ Phone: \_\_\_\_\_

If you anticipate operating a motor vehicle for and in behalf of Roosevelt City while acting as a volunteer for the City, please fill out the Driver's License Information below.

Driver's License Number: \_\_\_\_\_ State Issued: \_\_\_\_\_ Expires: \_\_\_\_\_

**Volunteer Verifications**

Have you ever been convicted of a misdemeanor (excluding moving violations) or a felony?

(A "YES" answer to this question is not an automatic disqualification)

- YES please explain: \_\_\_\_\_
- NO

You acknowledge that if your application is approved, you will be considered a "volunteer" according to Utah Code Annotated 67-20-1 et. seq. As a volunteer government worker, you receive liability protection and indemnification (reimbursement for legal fees and costs) normally afforded a government employee as long as you are performing duties pre-determined in your scope of work. Your exclusive remedy for personal injury or occupational diseases will be workers' compensation medical benefits.

By making this application, I hereby authorize Roosevelt City to perform criminal history background checks, or to obtain any other information of whatever kind in either written or verbal form which relates to my ability to perform the duties of the volunteer position for which I am applying. I release Roosevelt City of any liability for the use of this information in considering and reviewing my application.

**I CERTIFY THAT ALL STATEMENTS MADE IN THIS APPLICATION ARE TRUE AND COMPLETE, AND THAT ANY MISSTATEMENT OR OMISSION OF MATERIAL FACTS MAY SUBJECT ME TO DISQUALIFICATION OR DISMISSAL**

**I HAVE READ AND SIGNED THE SEXUAL HARASSMENT POLICY**

\_\_\_\_\_  
**VOLUNTEER SIGNATURE**

\_\_\_\_\_  
**DATE**

A copy of the completed volunteer application must be given to the Human Resources Consultant

**Employee Disciplinary Form.pdf**



Notice of Disciplinary Action

**Employee Information**

Employee Name:	Date:
Employee ID:	Job Title:
Manager:	Department:

**Type of Discipline**

<input checked="" type="checkbox"/> Formal Verbal Warning	<input type="checkbox"/> Written Warning	Final Written Warning and/or Suspension without pay for _____ days.
---	--	---

**Type of Violation**

<input type="checkbox"/> Tardiness/Leaving Early	<input type="checkbox"/> Absenteeism	Violation of Company Policies (indicate policy or policies in Violation under "Other")
<input type="checkbox"/> Substandard Work	<input type="checkbox"/> Violation of Safety Rules (Worksite Safety, Food Safety and Hygiene Protocols)	Other: _____

**Details**

Description of Violation

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Improvement Plan

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Consequences of future or similar Infractions:

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**Immediate and lasting improvement is necessary. Failure to follow the job performance expectations as discussed may result in further disciplinary action up to and including immediate termination.**

**Acknowledgement of Receipt of Discipline**

By signing this Notice, I am acknowledging that I have been counseled about the above and informed of the consequences. Furthermore, I understand that signing this form does not necessarily indicate acceptance of the above, but does confirm that my supervisor and I have discussed the above incident(s) and determined a plan for improvement.

X

Employee Signature	Date
--------------------	------

X

Supervisor Signature and Title	Date
--------------------------------	------

X

Witness Signature (if employee understands warning or discipline but refuses to sign)	Date
---	------

**Fillable PDF New Hire Employee Packet.pdf**

# Employee Enrollment Form (01/09/2018)



## EMPLOYEE INFORMATION

Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Email Address \_\_\_\_\_

Contact Number \_\_\_\_\_

Marital Status:  Married  Single

Gender:  Male  Female

Date of Birth: \_\_\_\_\_

Social Security # \_\_\_\_\_

Driver's License # \_\_\_\_\_ Class \_\_\_\_\_

Date of Last D.O.T. Physical Exam: \_\_\_\_\_

**Emergency Contact** \_\_\_\_\_

Relationship to employee \_\_\_\_\_

Contact Phone # \_\_\_\_\_

I have filled out the Payroll Direct Deposit Summary

I have read, understand and accept the policy manual terms

## SUPERVISOR INFORMATION

Replacing existing position  Newly created position

Hire Date \_\_\_\_\_

Department \_\_\_\_\_

Position \_\_\_\_\_

Pay Rate \_\_\_\_\_

I have reviewed the job description, benefits, and policy hand book with our new employee.

Supervisor\* \_\_\_\_\_ Date \_\_\_\_\_

*\*Make sure all forms have been filled out, verified, and documentation provided for the following:*

W-4

Direct Deposit Authorization

I-9 Immigration Form

Equal Employment Opportunity

Utah New Hire Registry Reporting Form

Payroll Direct Deposit Summary

Conflict of Interest Form

Personnel Policies & Procedures Manual Acknowledgement

Weight Room Waiver & Liability Release

## Payroll Department Checklist

**New Hire      Promotion**  
**Full-Time    Part-Time    Seasonal**  
**Elected Official**

Reviewed by City Manager or Assistant City Manager:

Signed: \_\_\_\_\_ Date \_\_\_\_\_

- Conflict of Interest Form
- Process in E-Verify
- I-9 Immigration Form
- Employee Number Assigned \_\_\_\_\_
- Payroll Direct Deposit Summary
- Direct Deposit Authorization
- W-4
- Create Timekeeper Profile & Assess IT Needs
- Electronic W-2 Consent Form
- Equal Employment Opportunity
- Utah New Hire Registry Reporting Form
- Add as New Hire w/Dept of Workforce
- Add to ULGT Driver List
- Personnel & Procedure Acknowledgment
- Job Description
- Create Employee Navigator Profile
- Background Check
- Remove I-9 Forms to separate I-9 file
- URS Enrollment/Non-Eligible
- Notify Supervisor - Employment Approved

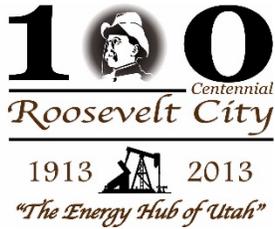
\_\_\_\_\_  
 Sent Benefit form(s) to ULGT

Update applicable vacation

Update applicable sick leave

URS Enrollment Payroll Code \_\_\_\_\_





Roosevelt City Corporation  
255 South State Street  
Roosevelt, UT 84066  
Contact #: (435) 722-5001

### PAYROLL DIRECT DEPOSIT SUMMARY

### DELIVERY AUTHORIZATION

Roosevelt City employees have the opportunity to have their biweekly payroll stub delivered to the email address you provide. Indicate below whether or not you wish to take advantage of this.

If you have questions regarding this, please contact John Zilles, Finance Director/Assistant City Manager by email [jzilles@rooseveltcity.com](mailto:jzilles@rooseveltcity.com), or his office direct contact #, 725-7207.

DEPARTMENT WHERE YOU WORK:

Police     Public Works     Fire Department     Administration     Cemetery  
 Parks/Recreation     Golf Course     Swimming Pool     Other \_\_\_\_\_

**PART I:**

EMPLOYEE NAME: \_\_\_\_\_ (Print Legibly)

**PART II:**

I approve receiving my payroll stub by email \_\_\_\_\_  
*Email Address (Print Legibly)*

I decline receiving my payroll stub by email

**PART III:**

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

-----  
*(Payroll Department Use Only)*

Updated in Pelorus on \_\_\_\_\_ (date) \_\_\_\_\_ (Initial)

# Roosevelt City Corporation

## Authorization Agreement for Direct Deposit

This form is used for the following: Adding, changing, or terminating a direct deposit. Each account requires a separate form and all changes must be in writing.

To set up a direct deposit you must do the following:

1. Find out if your financial institution accepts direct deposit. Verify the transit (ABA) number and your account number.
2. Determine if your financial institution has any special requirements for receiving a direct deposit.

Please check the appropriate box:

- New set-up  
 Change in information  
 Cancel agreement (termination)

**YOU MUST ATTACH A VOIDED CHECK, DEPOSIT SLIP OR OFFICIAL BANK DOCUMENT TO THIS AUTHORIZATION**

Your financial institution name (depository): \_\_\_\_\_

Routing # (ABA): \_\_\_\_\_ Primary Account #: \_\_\_\_\_

Percentage or amount \_\_\_\_\_  Checking Account  Savings Account

Your financial institution name (depository): \_\_\_\_\_

Routing # (ABA): \_\_\_\_\_ Secondary Account #: \_\_\_\_\_

Percentage or amount \_\_\_\_\_  Checking Account  Savings Account

Your financial institution name (depository): \_\_\_\_\_

Routing # (ABA): \_\_\_\_\_ Additional Account #: \_\_\_\_\_

Percentage or amount \_\_\_\_\_  Checking Account  Savings Account

I hereby authorize **ROOSEVELT CITY CORPORATION** to initiate deposits to my financial institution and if necessary charge the same to the above named financial institution and account.

This authorization is to remain in full force and effect until **ROOSEVELT CITY CORPORATION** has received written notification from me of its termination in such time and in such manner to afford **ROOSEVELT CITY CORPORATION** and Depository a reasonable opportunity to act on it.

EMPLOYEE NAME: \_\_\_\_\_ (please print)

EMPLOYEE SIGNATURE: \_\_\_\_\_ DATE SIGNED: \_\_\_\_\_

Payroll Office Use Only

Processed by \_\_\_\_\_

Date \_\_\_\_\_

**Roosevelt City Corporation  
Electronic W-2 Authorization**

Employees of Roosevelt City Corporation have the option to receive annual W-2 forms in an electronic format via email. In order to receive W-2 forms in this manner, employees must have a valid email address and access to a computer with a PDF viewer. W-2 forms will be delivered as PDF documents in the same format as employee paystubs. Any employees who do not opt-in to receiving their W-2 electronically will be mailed a paper copy.

Employees who opt-in to receiving an electronic W-2 may also receive a paper copy by contacting the Human Resources department and providing proof of identity. Paper copies of W-2 forms will only be issued to the employee, not to any family member or other representative.

Employees may withdraw consent for receiving an electronic W-2 at any time. To withdraw consent, fill out the applicable section of the form below. A withdrawal of consent will take effect on the issuance of the next W-2.

Each employee is responsible for keeping his/her contact information accurate and up-to-date to ensure proper and timely delivery of W-2 forms. To update or change contact information, please fill out the relevant section below.

---

Employee Information:

Name: \_\_\_\_\_ Date of Birth: \_\_\_\_/\_\_\_\_/\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Email Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

- 
- I consent to receive my W-2 form electronically at the email address listed above.
  - I do not consent to receive my W-2 form electronically. I understand that a paper form will be mailed to me at the address listed above.
  - I wish to withdraw my consent to receive my W-2 form electronically. I would like my next W-2 form mailed to me at the address listed above.

---

Employee Signature

---

Date

---

Human Resources Staff

---

Date

# EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER (EEO) NON-DISCRIMINATION INFORMATION

The information contained herein is being maintained solely for the purpose of tracking and reporting the employment practices of Roosevelt City an Equal Employment Opportunity Employer. The information contained herein will be used only for the purpose of ensuring that the city does not and will not discriminate against any employee in its employment practices, i.e.: promotions, wages, classifications, discipline, etc., regardless of sex, race or disability. This is being done in conjunction with Roosevelt City's personnel policy manual. Each employee will be notified that this form will be permanently located in his or her individual personnel file. It is not mandatory!

Employee Name: \_\_\_\_\_

Hispanic or Latino(A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.)

Not Hispanic or Latino

Employee Race

American Indian or Alaska Native  Asian  Black or African American

Native Hawaiian or Other Pacific Islander  White  American Indian or Alaska Native and White

Asian and White  American Indian or Alaska Native and Black or African American

Black or African American and White  Other \_\_\_\_\_ (please specify)

Employee Disability:  No

Yes

Employee Gender:  Female

Male

## UTAH NEW REGISTRY REPORTING FORM

→<http://jobs.utah.gov/newhire/members/employeeDataEntry> →New Member Entry

**Fill out and return to Personnel Department.**

Enter Employee(s)

Enter Employee Information

Required Information

SSN

First Name

Middle (Initial)

Last Name

Street

City

State

Zip Code

Hire Date

Birth Date

Employee/Volunteer Name: \_\_\_\_\_ Entity: \_\_\_\_\_

**CONSENT AND AUTHORIZATION TO RELEASE DRIVER INFORMATION**

As an employee/volunteer of the above-referenced Entity, I consent and authorize Entity and its designee, including the Utah Local Governments Trust, to obtain information from the Utah Driver License Division (“Division”) relating to my driving record. Information to be provided by the Division includes name, driver’s license number, date of issuance, whether the license is valid and driving incidents and reports, and other similar driver information specific to employees/volunteers of Entity.

\_\_\_\_\_  
Employee/Volunteer Name (Printed)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date of Birth

\_\_\_\_\_  
Utah Driver License Number

\_\_\_\_\_  
Date of Issuance

**FORM – PERSONNEL POLICIES AND PROCEDURES MANUAL ACKNOWLEDGEMENT**  
**(Manual 8-7-2018)**

I hereby acknowledge that I have read and fully understand the personnel policies and procedures of ROOSEVELT CITY CORPORATION as outlined and explained in this manual. Any questions that I may have had, have been explained to my satisfaction and I hereby agree to and accept the policies and procedures as given.

I understand, while it is the policy of Roosevelt City Corporation to establish reasonable rules of employment conduct and to ensure compliance with these rules through a program consistent with the best interest of the City and the employee, THIS MANUAL IS NOT AND SHALL NOT BE CONSTRUED AS AN EXPLICIT OR IMPLIED CONTRACT AND SHALL NOT MODIFY THE EMPLOYEE'S STATUS AS AN AT-WILL EMPLOYEE.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

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

Please Print Name: \_\_\_\_\_

**FORM – ROOSEVELT CITY WEIGHT ROOM**

1. AUTHORIZED PERSONNEL – All year-round Roosevelt City employees, part-time employees 20 years of age or older, including the fire department. Immediate family members of employee must be accompanied by said employee at all times. The use of the weight room is strictly for the use of those employees who have signed the Waiver of Responsibility.

2. RULES FOR WEIGHT ROOM USE –

- A. No food or drink in weight room.
- B. Do not drop or bang weights.
- C. Replace all dumbbells and free weights to racks after workout.
- D. Turn lights and fans off after workout and shut doors.
- E. Avoid tracking mud and dirt onto weight room floor.
- F. No loud music.
- G. Report any damage of equipment to City Manager as soon as possible.

\*\*\*\*\*

**ROOSEVELT CITY WEIGHT ROOM**

**LIABILITY RELEASE**

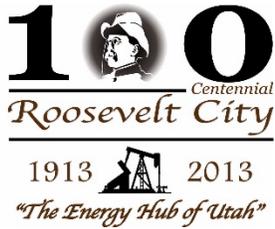
I, \_\_\_\_\_, an employee of Roosevelt City, have read the above policy governing the use of the Roosevelt city weight room and exercise equipment and upon signing this release, acknowledge that I fully understand the rules and agree to abide by them.

I further agree to indemnify Roosevelt City, its employees, officials, personnel, and/or agents from any and all personal injury or property damage I may sustain while using the exercise equipment and weight room.

SIGNED: \_\_\_\_\_ Date: \_\_\_\_\_

WITNESS: \_\_\_\_\_

This form must be kept on file.



Roosevelt City Corporation  
255 South State Street  
Roosevelt, UT 84066  
Contact #: (435) 722-5001

## FULL-TIME EMPLOYEE FUND DEDUCTION AUTHORIZATION FORM

Roosevelt City employees have an opportunity to have funds deducted from their biweekly payroll check to be set aside and used for items such as are listed in Appendix A on the next page. Please fill out the form below to authorize or decline the deduction.

If you have questions regarding this, please contact John Zilles, Finance Director/Assistant City Manager by email [jjilles@rooseveltcity.com](mailto:jjilles@rooseveltcity.com), or his office direct contact #, 725-7207.

### DEPARTMENT WHERE YOU WORK:

- Police (\$4.00)
- Public Works, Administration, Parks (\$2.00)
- Other \_\_\_\_\_

### PART I:

EMPLOYEE NAME: \_\_\_\_\_ (Print Legibly)

### PART II:

Based on the department group that I have checked, I approve the respective biweekly deduction.

I decline the above stated biweekly deduction.

### PART III:

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

---

*(Payroll Department Use Only)*

Updated in Pelorus on \_\_\_\_\_ (Initial) \_\_\_\_\_ (date)

Appendix A:

The Roosevelt City Employee Funds is used for, but not limited to the following:

1. When employees retire or stops working for Roosevelt City.  
(If an employee has not worked over a year, usually not considered)
2. Illness, surgery or accident in which an employee, council member or the Mayor is not able to work over one (1) month. Gift is approximately \$50.00
3. Employee or employee's children get married. Gift is approximately \$50.00
4. Employee has an immediate family member pass away. Gift is approximately \$100.00
5. Employee Lunch – Usually 1-2 times a year employees get together and go out for lunch or have a luncheon in the Roosevelt City Council room.
6. Employee Breakfast
7. Activities – Employee Bowling night –employee, with partner, go bowling in which the employee funds are used for bowling and meal, at the restaurant or snack bar.
8. March Madness Basketball Bracket Challenge – Employee Luncheon/Prizes
9. Employee funds could be used to purchase gift certificates to be used for ham, turkey, or prime rib during the holidays in Nov-Dec of each year. Each employee would receive a certificate.
10. Cards – Usually signed personally by employees unless employees are not available.
11. Other types of purchases or situations in which the employees are in agreement to use the funds.



**Roosevelt City Corporation**

Data for Criminal History Background Check

Full Legal Name \_\_\_\_\_

Alias/Maiden Name (AKA): \_\_\_\_\_

Today's Date \_\_\_\_\_

Waiver

Roosevelt City Corporation  
255 South State Street Roosevelt UT 84066  
(Qualifying Entity)

By signing this from, I authorize the Roosevelt City Police Department, to access and review State and Federal Criminal history records and make reasonable efforts to determine whether I have been convicted of or are under pending indictment for: A crime that bears upon my fitness to be employed or volunteer for a position of trust over students, adults or persons with disabilities, and convey that determination to the qualified entity. Roosevelt City Police Department shall make reasonable efforts to respond to the inquiry within 15 business days.

I do hereby release Utah, Roosevelt City Police Department and/or Roosevelt City, all persons, organization, or government agencies, from damages of, or resulting from, furnishing such information.

I have been provided with a copy of this form. I have read and understood the foregoing and my certification is true and correct to the best of my knowledge and belief.

\_\_\_\_\_  
Prospective Employee/Volunteer Signature

\_\_\_\_\_  
Date

# Right of Access Provider Waiver

Roosevelt City Police Department

## Request to Obtain a Copy of My Utah Criminal History Record

I, the undersigned, am requesting a copy of my Utah Criminal History Record. I understand this record is protected by law (Utah Code Ann. §53-10-108) and may only be released to me by this agency if I appear in person with valid photo identification. This agency is not authorized to retain a copy of this record without my expressed permission.

**Please Print Clearly:**

NAME: _____ (Last) (First) (Middle)		Date of Birth: ____ / ____ / ____ (Month) (Day) (Year)	
Previously Used Name(s) (Maiden, Alias, etc):			
Physical Address: _____ (Street) (City) (State) (ZIP)			
Social Security #: _____		Driver License Number: _____ State: _____	

Initials	Please Initial the Box which MOST applies:
	I wish to obtain a copy of my Utah Criminal History Record to take with me today. This agency may NOT retain a copy for any purpose.
	I authorize a release of my Utah Criminal History record, or any part thereof, by and to any duly authorized agent of this agency to accompany my employment, volunteer, licensing, permit application, or other expressed purpose approved by me today. Any information discovered may be used to consider my suitability for the purpose of my application.

I understand these results are not verified by fingerprints and are only valid on the date printed on this record. If I wish to challenge the completeness or accuracy of this record, I must submit a completed *Application to Challenge Criminal History Records* with fingerprints directly to the Bureau of Criminal Identification (BCI) where I may be subject to additional fees (R722-900-6).

I understand this waiver may be kept on file at this agency for a period of at least three years and is subject to review by BCI auditors, whether or not I choose to release my record to this agency today. I agree to indemnify and hold harmless BCI, this agency, elected officials, officers, employees, agents, and volunteers associated with this application process from and against all claims, damages, losses and expenses, including reasonable attorney's fees arising out of or by reason of complying with this request.

A photocopy or electronic copy of this waiver is a valid representation of my original signature and is considered legal and binding just as the original writing of my signature.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### For Office Use ONLY:

Identification Verified: \_\_\_\_\_ Criminal History Completed By: \_\_\_\_\_ Date: \_\_\_\_\_  
(Initials) (Signature)

## Employee Key Sign Out Form.pdf



***Roosevelt City Corporation***

255 South State Street  
Roosevelt, Utah 84066

(435) 722-5001  
722-5000 Fax

Rooseveltcity.com

---

Employee Name: \_\_\_\_\_

Position Title: \_\_\_\_\_

Department: \_\_\_\_\_

Supervisor: \_\_\_\_\_

Type of Key, Nummber and Description (i.e. office/ front door to building)

#

#

#

#

#

#

#

Number of keys distributed \_\_\_\_\_

Distributed by: \_\_\_\_\_

Employee signature below confirms that they received the key(s) listed above and they are responsible for returning these keys upon a transfer or separation of employment or at any time the employer requests.

Lost or misplaced keys are to be reported to your supervisor immediately.

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

## **Conflict of Interest Fillable.pdf**



**Personnel Order .pdf**



## **INDEX / TOPICS**