



# PERSONNEL POLICY

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Resolution Number:

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This amendment supersedes any prior versions of the policies set forth herein.

## CONTENTS

SECTION	TITLE	PAGE
	Welcome Letter	1
I	Equal Employment Opportunity	2
II	Administration	3
III	Hiring for New and Vacant Positions	5
IV	Employment Status	7
V	Compensation	9
VI	Work Hours	10
VII	Benefits	11
VIII	Employee Conduct	16
IX	Reimbursement/Covered Expenses	18
X	Political Activity	20
XI	Sexual Harassment	21
XII	Substance Abuse and Drug-Free Workplace	23
XIII	City Vehicles	24
XIV	Disciplinary Procedures	25
XV	Employee Grievance & Appeal Procedure	28
XVI	Programs and Incentives Policy	29

Mona City looks forward to a productive and successful association with you. The most vital component in any organization is the staff and we know our success depends, in a large part, on you. As a City employee, you not only help serve the general interest of the community but represent the City government to our residents.

This Mona City Employee Handbook contains general statements of City policy and applies to all employees of Mona City, except as specifically excluded. Do not consider this document comprehensive; it does not address all the possible applications of, or exceptions to, the general policies and procedures described. This manual contains general information and guidelines; it is not, and should not be construed as, a contract.

We designed this handbook to acquaint you with some of our basic policies, rules, and benefits. The information and guidelines are to help you understand your privileges, benefits, obligations and responsibilities as a Mona City employee.

The procedures, practices, policies and benefits described are subject to change and may be modified or discontinued. We recognize we have a responsibility to inform you of changes and will try to inform you of any changes as they occur or as soon as we can. Should anything in this handbook be unenforceable, invalid, or in conflict with State or Federal Code (Federal/USC) it does not invalidate the entire document, but only that particular provision.

These policies and procedures do not apply to members of councils and commissions, persons contracted to supply professional or technical services, and volunteer personnel who receive no compensation from the City. Please direct any questions concerning the contents of this Mona City Employee Handbook to your supervisor, or the Mayor.

If any departmental policies and procedures are found to be in conflict, they will be superseded by the provisions of this manual and this manual shall supersede any existing agreements made between the City and its employees.

“You,” “your,” “his or her,” and “employee” any variants of those words used in this Employee Handbook refer to an employee of Mona City, regardless of gender or pronoun used or written herein, and should be read and interpreted to effectuate the intent of this Employee Handbook as being a personnel policy relating to the employment practices of Mona City.

## SECTION I-EQUAL EMPLOYMENT OPPORTUNITY

- A. Anti-Discrimination: Mona City is committed to equal employment opportunity. We make our employment decisions based on merit and business needs and not on race, color, national origin, sex, age, religion, pregnancy, covered disability, or any other protected class as established by law. This policy applies to all policies and procedures relating to recruitment and hiring, compensation, benefits, termination and all other terms and conditions of employment.

In addition, we foster a non-discriminatory environment for qualified individuals with disabilities. What matters is that people can safely perform the essential job functions with or without reasonable accommodation. If they can do the job and the accommodation doesn't present an undue hardship on Mona City or other staff members, there is no reason for them not to be part of our organization.

Management is primarily responsible for ensuring equal opportunity, but it takes all of us to maintain a non-discriminatory work place. Please treat everyone with care and respect.

- B. Anti-Nepotism:

1. It is the policy of Mona City to comply with the anti-nepotism policies of the State of Utah as stated in Utah Code §52-3-1, as amended.

2. Mona City will consider employment applications from relatives of current employees when openings exist. Hiring decisions will be made based on merit. Relatives will not receive preferential treatment. Employee with a relative applicant should refrain entirely from the hiring process.

3. Applicants with relatives in classified or full-time at-will service will not be hired in the same department if the applicant is to be directly supervised by one of the relatives defined in the Utah Code.

## SECTION II-ADMINISTRATION

A. Responsibility for Administration of Policies: The day-to-day management of personnel activities and operations within the City is the responsibility of the Mayor who is also responsible for ensuring the effective administration of all policies and procedures.

B. Personnel Records:

1. Keeping employee personnel file current is important. To help keep records up to date, it is important that employees notify the Finance Director of any changes in an employee's:

- Legal Name
- Address
- Emergency Contact
- Marital Status
- Telephone Number
- Beneficiary
- W-4 Deductions
- Eligible Dependents
- Military or Draft Status
- Required Certifications, Licenses and Permits

2. Personnel records are considered by Mona City to be private and are classified as Private Records under the Government Records Access and Management Act as contained in Utah Code Ann. 63G-2-2101 est seq., as amended, and are kept in secure and confidential files. An employee may see his or her own personnel file and you may have copies of any of the documents. Direct any questions or requests to Mayor. Other users authorized by law or as determined by the Mayor to have a legitimate "need to know" may access the records. A log or record of those reviewing personnel records and information shall be maintained together with the reasons for access to the records. All reviews of personnel records shall be done in the presence of the Mayor or Finance Director.

3. If a disciplinary action is rescinded or disapproved upon appeal, all forms, documents and records pertaining to the case shall be removed from the personnel record and destroyed.

4. Requests for Information: When completing requests for verification of employment or responding to reference checks on previous and current employees; names, gender, gross compensation, job titles, job descriptions, business addresses, business telephone numbers, number of hours worked per pay period, dates of employment, relevant education, previous employment and similar job qualifications are treated as public data. Such requests or inquiries should be directed to the Mayor. Specifically, reference checks about an employee's job performance and capabilities will be answered by the direct supervisor, if applicable, or the Mayor. Under no circumstances shall character judgments be issued.
5. Records Retention: All active employee files shall be kept up-to-date and the content of the file must be relevant to some aspect of current employment and work history. Generally, all records related to inactive or terminated employees shall be retained per the requirements set forth in the Utah Municipal General Records Retention Schedule (UMGRRS). For complete and accurate records of all medical examinations required by the law and records of any personal or environmental monitoring of exposure to hazardous materials-such records are required by OSHA to be retained for thirty years.

### SECTION III -HIRING FOR NEW AND VACANT POSITIONS

- A. Recruiting: Selecting new employees or advancing employees in the City personnel system to fill a job opening shall be based on their ability, knowledge and skill levels related to the vacant position.
- B. Hiring Procedures:
  - 1. When there is a need to recruit to fill a vacant position, Mona City shall prepare, advertise, and post the opening where all City employees will be made aware of the opportunity, if the vacancy is not filled by promotion. Employees wishing to apply for the position must do so by the closing date of the recruitment. All applicants will be given equal consideration.
  - 2. The community and labor market shall become the object of an appropriate recruitment effort. Outside applications will be accepted for a minimum of seven calendar days after or concurrent with in-house recruitment and the date of initial advertising.
  - 3. Interested job applicants shall complete an employment application form.
  - 4. Upon closing the recruitment, the Mayor, City Council, and invited employees shall review all applications and select interview candidates. Upon completing the interviews, the interviewing panel shall submit the recommendation for hire to the Mayor and City Council for approval.
- C. Disqualification: The City reserves the right to reject any application that indicates on its face that the applicant does not possess the minimum qualifications required for the position. Applicants and subsequently hired applicants who make false statements or who are found to have engaged in any type of deception or fraud in the application or testing process shall be rejected or immediately terminated.
- D. Qualifications:
  - 1. Testing: Applicants may be subjected to competitive testing which may include, but not be limited to: determination of bonding ability; rating of education and experience; written, oral or physical tests; and/or background investigations.
  - 2. Physical Examination: Public health and safety demand that employees be physically able to perform the duties of the job classification to which they are hired. The physical requirements of the job constitute bona-fide occupational qualifications. The City will also accommodate employees and applicants in compliance with the ADA and provide "reasonable accommodation" when the cost of such is deemed "reasonable" within the City's ability to pay, and where to do so does not impair the City in its business necessities creating undue hardship.
    - a. A physical examination may be required before an applicant is appointed to any City position. If the results of the examination give indication of physical limitations that would prevent the applicant from reasonably

performing the duties of the position, consistent with ADA regulations, the applicant may be rejected as not meeting required qualifications for the job. A disabled applicant may be required to submit to a physical examination only after a job offer has been made and only if all others receiving job offers are required to do the same.

b. The City may require a physical examination at any time during the employee's work tenure, if deemed necessary to assure the safety and health of the employee, co-workers and the public. The City will pay the cost of any required medical examination.

3. Drug Testing: As one of the requirements in the selection process, applicants for any position may be required to submit to a drug testing process and chemical screening to determine the presence of alcohol and chemical substances in the blood. Subject to ADA laws, any applicant who tests positive for the presence of illicit drugs will be denied employment.
4. Driver Record Check: All applicants may be required to sign an authorization for the City to obtain a copy of their motor vehicle driving record. These records will be evaluated by the City for compliance with requirements of the job description.
5. Employment Eligibility Verification: In conformance with the IRCA of 1986 (Public Law 99-603) and to avoid monetary penalties for the hiring of illegal workers, the Finance Director shall verify that all applicants for vacant positions or persons hired to fill vacant positions are authorized to work within the legal boundaries of the United States.

E. Conditions of Employment:

1. All final candidates are subject to and may be required to pass a background check, which will include but not be limited to a criminal history and a check of references and/or former employers and any other sources of information, including social media.
2. All final candidates are subject to and may be required to pass a controlled substance/alcohol test before hire.
3. Employees must wear Class 3 clothing when working in a situation that would require it, such as working on gas lines. All street employees should wear reflective shirts and coats. Mona City will provide a clothing allowance for the purchase of these items to the employees that will be required to wear them. Failure to wear the provided clothing will result in a disciplinary procedure.



## SECTION IV-EMPLOYMENT STATUS

- A. Applicability: All employees, officers, and other personnel not exempted herein, who, prior to the effective date of these policies and procedures and have successfully completed the introductory period; (see provisional employees, this section) are deemed to be fully covered employees under these personnel policies and procedures.
- B. Exempted Positions: The following types of positions have been designated as being exempt from the provisions of the personnel system (as defined below, positions in these categories are also exempt from the overtime provisions of the FLSA).
1. Mayor and City Council.
  2. Members of policy, advisory, review, appeal boards, or similar bodies who do not perform administrative duties as individuals.
  3. Attorneys serving as contracted legal counsel.
  4. Time-limited positions established for conducting a special study or investigation.
- C. Types of Employment:
1. Seasonal/Temporary Employees: Temporary is defined as being limited to a definite period of not more than six (6) consecutive months per fiscal year. Appointments, such as summer help, may be made by the Mayor to carry out necessary seasonal work. Temporary employees, whether part-time or full-time, shall not qualify for regular employee benefits (except that mandatory benefits shall be provided as prescribed by law, i.e., social security, workers compensation and unemployment).
  2. Regular Full-Time Employees: An employee who has satisfactorily met the requirements for employment, completed the designated new hire provisional period and is generally working forty hours per week (is expected to work 2,080 hours per year), that employee is considered a regular full-time employee and is eligible for leave benefit programs, paid holidays, and URS benefits.
  3. Salaried Full-Time Employees: An employee that works 12 months a year on a salary, that is expected to work more than 20 hours a week, and is eligible for paid holidays or other benefits. This employee is eligible for leave benefit programs, paid holidays, and URS benefits.
  4. Part-Time Employees: Employees who were hired to work on a regular basis less than 20 hours per week. These employees are not eligible for benefits.
  5. Contract Employees: Contractual employment relationships shall apply to time limited positions requiring specific professional skills and abilities. The Mayor and City Council shall establish the duration of the contracts; or, in the case of time limited professions, shall be specifically determined on a project-by-project or service-by-service basis. Participation in any benefit program or the application of any of these policies and procedures shall be negotiated and written into the contract or service agreement. For the good of the service to the

City or to enhance the employment opportunity offered by the City, the Mayor and City Council may establish additional contractual positions or alter the status of an existing classified position.

- D. Provisional Employees: All newly hired non-exempt employees are required to serve at least a six-month introductory period. This period is regarded as a testing period designed to acquaint the new employee with the position and allow the Mayor, City Council, and supervisor, if applicable, to measure fairly the employee's suitability for the job. If an employee is deemed unsuitable for the job, they may be terminated at any time during this period, with or without cause. Upon acquiring "regular" status all employees remain "at will" basis and can terminate employment with the City at any time with or without notice and with or without cause and may be terminated by the City on the same basis, consistent with public policy. Provisional employees hired to fill a regular full-time position are eligible for health and retirement benefits during the provisional period.

## SECTION V-COMPENSATION

- A. Policy: Compensation for City employees shall be equitable and competitive with the market and in accord with the City's ability to pay.
- B. General Wage/Market/Salary Adjustments: It is the intent of the City to consider prevailing practices related to cost of living and market trends in establishing wages and salaries which constitute the formal pay schedule. On all occasions the amount of the rate changes will ultimately be based upon the anticipated effects upon the City budget. Final determination and any changes to the salary scale will be made by the Mayor and City Council. Where general, across-the-board adjustments are approved, the change will be effective on a date determined and approved by the Mayor and City Council. General adjustments are separate and distinct from performance recognition bonuses and longevity increases when they are utilized.
- C. New Hire Introductory Period: All newly hired employees of the City are required to complete a six-month introductory period. During the six-month period the Mayor shall conduct a formal performance appraisal at the end of the six months.
- D. Termination/Separation Pay: When employees terminate, they shall be required to return all equipment and to clear all financial obligations involving their employment with the City prior to receiving their final paycheck. Any such obligation not cleared may be itemized and deducted from their final paycheck. Final paycheck, including compensation for all uncompensated hours worked, unused personal or annual leave and overtime will be issued on the next regularly scheduled pay period following termination. If a written request for final payment is received sooner by the Finance Director or designee, the final payment shall be issued within 3 working days from the date terminated.
- E. Pay advancement: The City will not make payroll advances to employees.
- F. Payroll Processing Schedule: Payroll is paid by the 5<sup>th</sup> of each month. Time sheets are entered on the app connecteam and will be accessed by the Finance Director.
- G. Payroll Deductions/Withholdings: Employees may allow for withholding from their payroll disbursements for elective programs they may participate within besides the mandatory payroll withholding taxes required by Utah State and U.S. Federal law. It is the employee's responsibility to complete and remit the necessary forms so that the Finance Director can effectively modify the payroll system for supplemental voluntary withholding and subsequent withholding changes. The City may also be required under applicable local and federal law to garnish employee wages as directed.
- H. Workers' Compensation: All employees of the City, regardless of status, will be covered under a Workers' Compensation Insurance program.

## SECTION VI-WORK HOURS

- A. Office Hours: The normal City office hours are Monday, Tuesday and Wednesday from 11-5, and Thursday from 9-4.
- B. On-Call and Other Schedules: Various work and on-call schedules may be established by the Governing Body to assure twenty-four-hour emergency service to the public during non-business hours.
- C. Approved Leave & Overtime Eligibility: All “non-worked” paid days in any pay period, such as vacation, sick leave, administrative leave, emergency leave, etc., shall not be counted toward the calculation of hours worked for determining overtime hours under the Fair Labor Standards Act (FLSA).
- D. Lunch Break: Employees will have one hour for lunch, which will be taken at a time determined by their supervisor, or the mayor, in conjunction with the employee’s work schedule. The lunch break will be taken on the employee’s time; therefore, it will not be compensated for by the City.
- E. Rest Periods: All employees of the City will be allowed two fifteen-minute breaks during the normal workday. Rest periods are a privilege therefore rest period abuse shall be subject to discipline.
- F. Absence Notice: An employee unable to report for duty on a workday shall notify their supervisor or the mayor at least one hour prior to the regularly scheduled starting time. All other leave requires at least one day advance approval of the supervisor or Mayor.
- G. Working from home: A full-time employee that wishes to work from home must have the time approved by the Mayor prior to the work being completed or they will not be paid. Work from home hours will be limited.

**SECTION VII – BENEFITS – Full Time Employees**

- A. Retirement: Mona City will participate in the U.S. Federal (FICA) and State of Utah Retirement. For specific details related to the Utah State Retirement Systems (URS), seek assistance from the Finance Director or the URS office.
- B. Unemployment Insurance: The City participates in the Utah State Department of Workforce Services Unemployment Insurance Program and each person that terminates will be eligible for unemployment benefits in accordance with the rules and provisions as provided by the State. Employees terminated for cause shall not be eligible for unemployment benefits from the City.
- C. Annual Leave (Vacation Time):
  - 1. Annual leave will accrue during a full-time employee's introductory period but may not be used during the first three months. Employees who terminate or are terminated within the first six months shall not be compensated for accumulated annual leave.
  - 2. All employees with regularly scheduled hours will accrue annual leave as follows:

Years of Service	Annual Leave Time Earned
0-1	3.3333 hours per month
1	40 hours per year (3.333 hours per month)
2-5	80 hours per year (6.6667 hours per month)
6 and above	120 hours per year (10 hours per month)

- 3. Annual leave is intended to benefit the employee, and employees are encouraged to take annual leave in the year in which it is earned. Unused annual leave may be carried over from year to year, except that the maximum amount carried from year to year shall not exceed one hundred twenty hours. All unused hours more than the one hundred twenty hours at the end of any fiscal year shall be forfeited, unless for no fault of the employees, scheduling conflicts, emergencies or other circumstances prevented the utilization of such leave as approved by the Mayor.
- 4. Annual leave will be scheduled to meet the operating requirements of the City. Seniority and/or earliest request shall be the basis for resolving conflicts, should conflicts occur. Management can deny leave requests when scheduling considerations cannot be met.
- 5. An authorized holiday shall not constitute a day of annual leave. When an authorized holiday falls within the time of an employee's annual leave, the employee will not be charged annual leave for that day.
- 6. Employees who terminate employment shall be paid for all unused annual leave accrued to their credit, up to a maximum of 40 hours. Otherwise, the City shall

not make cash payments in lieu of vacation. Annual leave will be prorated back in quarterly increments when Employees terminates employment part way through the year.

7. Annual leave does not accrue during leaves of absence without pay but shall accrue during holidays and sick leave.
  8. Annual leave should generally be requested at least twenty-four hours in advance. Employees requesting leave should use appropriate documentation to assure timely consideration of the request and assure proper scheduling.
- E. Sick Leave: Sick leave is provided from the date of appointment of a probationary employee at the appropriate number of hours per month as insurance against loss of income when the employee is unable to perform his/her work because of the illness or injury of the employee or for the emergency care of ill or injured dependents of the employee. Discretion must be used in approving sick leave, while at the same time, insisting that sick persons utilize the program to recover and prevent the spread of illness in the workplace. Abuse of the sick leave privilege shall constitute grounds for disciplinary action.
1. **Accrual & Conversion**: Each regular full-time employee shall accrue sick leave at the rate of five hours per month worked. All unused sick leave shall continue to accrue to a maximum of 300 hours. As an incentive to employees who do not utilize sick leave, after thirty sick leave days have been accumulated, an employee has the option of converting additional sick leave to annual leave at the rate of two (2) sick days to one (1) annual leave day. equal to 50% of all unused sick leave.
  2. Sick leave shall not be advanced to employees but may be taken as it is credited to their account. Any sick leave that exceeds (4) four successive working days shall be supported by a medical certificate. When excessive sick leave is being taken, a doctor's diagnosis or other evidences of illness may be required for absences of less than four days as determined by the Mayor.
  3. For sick leave granted to an employee for a period of disability that is compensable under provisions of the Workers Compensation Act, regular payroll paid to the employee shall be reduced by the amount received or eligible to be received from the worker's compensation fund. The intent of this policy is that the employee shall not suffer a reduction in normal compensation; neither shall the employee receive financial gain through a work-related mishap. During the period after sick leave is exhausted other leave may be utilized, i.e., first, any unused compensatory time, then annual leave and finally, leave without pay after all other leave has been exhausted.
  4. New employees may use accrued sick leave during the first six months of employment.
  5. Employees who have given notice of termination will not be granted sick leave during their last pay period without a doctor's certificate.

6. Sick leave shall accrue while employees are on regular annual leave.
  7. Authorized holidays which fall on a regular working day within a period when sick leave is being used shall not be charged as a day of sick leave. Sick leave shall not accrue during time spent on leave of absence without pay, or on annual leave immediately preceding either leave of absence without pay or termination.
  8. Any sick leave hours used for a Workers' compensation claim may be added back to the sick leave bank for the employee at the beginning of the next benefit year.
  9. Sick leave may be used for personal injury, illness or in the case of the illness or injury of a dependent or other member of the immediate family upon approval of the Mayor.
  10. All medical and dental appointments should be scheduled during off-duty time as much as possible.
- F. Light Duty Status: Employees that are recommended by a medical doctor to only be involved in "light duty" activity shall be assigned work in accordance with a light duty operations and functions as defined by the City. Light duty assignments will be temporary and short-term in nature, usually not exceeding thirty workdays. Each case will be reviewed independently and will only be extended for extenuating circumstances. Light duty assignments over thirty days must be approved by the Governing Body. If accommodations cannot be made without undue hardship to the City, the employee may be demoted to a lesser position, or terminated.
- G. Donation of Leave: In cases of serious or prolonged illness or other similar exceptional and unfortunate circumstances besetting an employee of the City, the City may allow donation of sick leave or annual leave by employees on behalf of the affected fellow employee. Such donations will only be allowed for specific cases. Donations will be certified in writing by donating employees on a form provided by the City and shall be non-retractable. The hours donated shall be deducted from the accrued sick leave or annual leave record of the donating employee and added to the sick leave of the benefiting employee. All donations shall be voluntary. The City, and employees shall not employ, to any degree, any method of coercion or make any threat of consequence to any employee's position or employment status because of an employee's decision to donate or not donate sick leave or annual leave to another employee. To the extent practicable, donations shall be kept anonymous by the City.
1. Holiday Leave: The City recognized the following as paid holidays:

New Year's Day	January 1
Martin Luther King, Jr. Day	3rd Monday in January
President's Day	3rd Monday in February
Memorial Day	Last Monday in May

Juneteenth	June 19
Independence Day	July 4
Pioneer Day	July 24
Labor Day	1st Monday in September
Columbus Day	2nd Monday in October
Veterans Day	November 11th
Thanksgiving	4th Wednesday - Thursday in November
Christmas Eve	December 24th
Christmas Day	December 25 <sup>th</sup>
Week between Christmas And New Year's Day	Limited schedule/days
New Year's Eve	December 31 <sup>st</sup>

2. When a full day holiday falls on Saturday, the previous regularly scheduled workday shall be observed as the holiday. When a full day holiday falls on a Sunday, the following or next regularly scheduled workday shall be observed as the holiday. All holidays will be taken off per the designated calendar date. Half day holidays are not recognized if they fall on a Saturday, or Sunday.

H. Court or Jury Leave:

1. An employee who, in obedience to a subpoena or direction by proper authority, appears as a witness for the U.S. Federal Government, State of Utah, or a political subdivision thereof or the City, or called as a juror shall be entitled to leave with pay. However, the regular court compensation fees shall be signed over to the City.
2. Absence because of subpoena in private litigation or by a party other than the U.S. Federal Government, State of Utah, or a political subdivision thereof, to testify not in an official capacity, but as an individual, shall be taken as annual leave or as leave without pay, with appropriate clearance.

I. Funeral Leave:

1. When a death occurs within the "immediate" family, employees may be granted a maximum of 3 days administrative leave with pay. This time is provided to support the family in the appropriate manner. Employees desiring extended funeral leave may be required to use comp time, annual leave or leave without pay, if leave is granted.



2. "Immediate family" means a spouse, child, step-child, parent, brother, sister, grandparent, spouse's grandparent, grandchild, father-in-law, mother-in-law, brother-in-law, sister-in-law, daughter-in-law and son-in-law. For other family relations and friends comp time, annual leave, or leave without pay may be taken when agreed upon by the Mayor.
  3. Documentation may be required by Department Head.
- J. Military Leave: Military leave shall be granted in accordance with Utah Code 39-3-2.
  - K. Paternity Leave: Paternity leave is the time a father takes off work at the birth or adoption of a child. Employees requesting leave for the birth of or adoption of children may be granted one day of administrative leave with pay. Employees desiring extended paternity leave may be required to use comp time, annual leave or leave without pay, if leave is granted.
  - L. Maternity Leave: Maternity leave is the time a mother takes off work at the birth or adoption of a child. Employees requesting leave for the birth or adoption of children may be granted five days of administrative leave with pay. Employees desiring extended maternity leave may be required to use comp time, annual leave or leave without pay, if leave is granted.
  - M. Family and Medical Leave Act: The City is committed to compliance with the Family and Medical Leave Act of 1993 (the "FMLA"), meaning that the City will grant eligible employees leave under the FMLA for up to 12 months during any 12- month period.

## SECTION IIX-EMPLOYEE CONDUCT

- A. Staff Conduct: The measure of City government is, to some extent, based on the effectiveness and personal contact of its employees with the general public. It is expected that all employees will avoid conduct at work or elsewhere that might cause embarrassment to, or criticism of the City. Often, the City employee is the only contact a private citizen has with our municipal government, and although the citizen may not always be right, he/she does have an active interest in the City and in its government. Therefore, it is essential the attitudes and actions of the employees of the City, both on and off duty, bring credit to the City. Good public relations can best be created by the simple process of being helpful, courteous and treating people in the same way the employee would like to be treated.
- B. Protected Information:
1. Personal Information: Mona City collects sensitive personal information in its daily function.
    - a. Mona City employees and elected officials shall keep all protected information confidential.
    - b. Employees and officials may not use protected information for their personal gain.
  2. Keys, Passwords, Access Codes: All keys, codes or other solutions to enter Mona City property shall be kept securely. Employees may not allow non-employees use of their access keys, codes etc. to access Mona City property on their behalf or otherwise.
- C. Public Relations: The very nature of governmental business makes relations one of the most important aspects of the job. The quality of our interpersonal interactions impacts all employees of the City and the public perception of the City. Employees are to take every opportunity through the course of performing in the job to create "good will" with the public. Employees are required to be courteous and show understanding despite the difficulty of situations that may arise. Reports of a negative nature will be investigated by the Mayor and/or City Council and disciplinary actions could result.
- D. Electronic Communications and Media Use:
1. It is the policy of the City to provide or contract for the communications services and equipment necessary to promote the efficient conduct of its business.
  2. All City communications services and equipment, including the messages transmitted or stored by them, are the sole property of the City. The City may access and monitor these communications and files, as it considers appropriate.
  3. Online City accounts may be accessed only by employees specifically authorized by the City. Upon request, authorized employees must disclose all passwords to their supervisor or the Mayor.
  4. Employees should not use e-mail, facsimiles, or any other insecure communication system to communicate confidential information.

5. Improper use of City communications services and equipment will result in discipline, up to and including termination. Improper use includes any misuse as described in this policy as well as any harassing, offensive, demeaning, insulting, defaming, intimidating, or sexually suggestive written, recorded, or electronically transmitted messages. Unsolicited and unintentional access or transmission to unauthorized information, material, or internet sites does not cause a violation of this policy.
  6. Employees may use their City computers to access their personal email accounts and other internet locations, so long as they exercise sound judgment regarding the websites they visit. Employees may use these types of City assets and services during their work breaks, lunch hour or at other times during the workday if it is expeditiously done, resolved and the quantity and quality of one's work productivity is not impacted.
  7. Employees should not duplicate or download from the Internet or from an e-mail any software or materials that are copyrighted, patented, trademarked, or otherwise identified as intellectual property without express permission from the owner of the material.
- E. Supplies, Tools, Equipment and Vehicles: All employees are charged with the responsibility of maintaining the City's property in the best possible condition and making the most economical use of supplies issued to them.
- F. Purchases: No purchase shall be made by City for personal use by any employee, except where otherwise provided for under special agreements or contracts.
- G. Any purchase or charge made by an employee on behalf of the City must have a signed receipt turned into the Finance Director within 5 business days. Failure to do so will result in a warning and possible removal of the ability to make purchases for the City.

## SECTION IX-REIMBURSEMENT/COVERED EXPENSES

- A. Travel: Travel expenses associated with authorized trips on the City business, for attendance at conventions, conferences, field trips, educational courses or meetings etc., will be paid by the City. Generally, such expenses will be paid in advance through registrations, reservations or other formal procedures. Actual costs for materials required for the seminar, training courses, etc., will be paid for or reimbursed by the City. The employee will provide receipts/ledger of expenses to the City upon completion of the trip, but not later than one week after return to normal duties. When considering the mode of travel, car versus airline, that option which creates the greatest advantage to fulfilling the needs of the City shall be utilized. A report will also be provided to the City containing information received from the meetings attended during the trip. This will be provided within two weeks after returning to normal duties. An employee may be accompanied by a spouse or family member on approved City business trips with the understanding that the City will not pay any of the costs incurred by the spouse or be responsible for any liability associated therewith. All absences from work to attend various meetings, training, seminars, conventions, etc. must be approved by the Mayor prior to attendance.
- B. Transportation and Mileage Rates: Reimbursement rate for a personal vehicle used for approved travel shall be at the federally approved rate as determined by the federal standard. Travel distances will be calculated using an internet-based mapping service such as Google Maps, etc. Reimbursement for public transportation, when necessary, will equal actual cost of fares.
- C. Per Diem: Meal reimbursement is subject to the maximum per diem meal allowance as set by federal standard. However, no per diem meal allowance should be claimed for meals provided at the training.
- D. Professional Organizations: Mona City encourages employees to participate in any professional and technical organizations that may help aid in job development and provide professional contacts that may also benefit the City. In some cases, the City may pay membership costs to belong to these organizations. Any payment must be approved in advance by employee supervisor or the Mayor.
- E. Continuing Education and Certification Testing: Continuing education in the field of employment in which the employee is working is desirable and may be a condition of such employment. The Governing Body may stipulate specific schooling as a condition of continued employment. Many positions in the City require specified levels of certification in accordance with the State Certification Council program. The certification program includes testing and continuing education requirements. Costs for continuing education including courses, workshops, seminars, conferences, exam study/review sessions and the like where continuing education units (CEU's) are available will be reimbursed by the City when approved by the Mayor. All certificates of training must be submitted to the City Office within 3 days of completion.

When an employee desires or is directed in writing by his Department Head to take the State Certification Examination (e.g., water or sewer collection system personnel) the following guidelines shall be adhered to for each certification grade:

1. 1st Exam and 2nd Exam: The City will pay the cost for the exam, including exam registration fee, mileage expense, travel time (as defined in these policies), and normal work time (as administrative leave).
2. If an employee does not receive a passing grade on an exam the first and second time, all costs associated with retaking the course/exam, including the cost of the exam, travel expenses, etc. will be borne by the employee and are not subject to reimbursement by the City. The employee must take the exam on his or her own time.
3. When an employee voluntarily desires to increase their level of certification beyond requirements of current position, the costs for the first exam may be reimbursed upon authorization. No reimbursement will be made for any exam retakes in such voluntary cases.

## SECTION XI - POLITICAL ACTIVITY

### A. Political Activity:

1. No person shall be denied the opportunity to become an applicant for a position by virtue of political opinion or affiliation.
2. No person employed by the City may be dismissed from service because of political opinion or affiliation.
3. An employee may voluntarily contribute funds to political groups and become a candidate for public office as long as it does not create a material conflict of interest. The intent of this provision is to allow the individual freedom of political expression, and to allow employees to serve as voting City officers and as State or city delegates without jeopardizing public programs for which they are responsible.
4. A regular employee wishing to seek election to an elected position for Mona City shall resign from City employment or take a leave of absence without pay upon approval by the Governing Body no later than the day before the day the employee begins their term of office. An employee who runs for office and is defeated in election is entitled to continue employment without interruption.
5. No employee, whether elected or appointed to the City, may directly or indirectly coerce, command, advise or solicit any officer or employee covered under the personnel system to pay, lend, or contribute part of his or her salary or compensation or anything else of value to any party, committee, organization, agency or person for political purposes. No City Board or Commission Member or employee, whether elected or appointed to the City, may attempt to make any officer's or employee's employment status dependent upon the employee's support or lack of support for any political party, committee, organization, agency, or person engaged in a political activity.
6. No employee may be dismissed from service based upon a change of elected official or a supervisor. All dismissals must be based upon performance and the provisions outlined in this handbook.

## SECTION XI - SEXUAL HARASSMENT

Sexual harassment is defined as unwanted conduct or communication of a sexual nature which adversely affects a person's employment relationship or working environment. The forms of illegal conduct include (but are not limited to) the act of, request for, or threat of sexual relations or bodily contact. Examples of which are pinching, grabbing, patting, propositioning, job threats or promises, inappropriate comments on appearance, embarrassing stories, pornographic material, assaults on the job by management, fellow employees, non-employees, or any other repeated words or actions which are sexually offensive, intimidating, hostile, degrading or demeaning to another person. To qualify as sexual harassment the conduct must normally have a negative effect on the person's job, wages, chances for advancement, work duties, work environment, tenure or conditions of employment.

- A. It is the policy of the City that employees and job applicants are entitled to a workplace or recruitment process that is free from sexual harassment. Sexual harassment is an unlawful activity that violates personnel principles and is prohibited as a form of sex discrimination under Title VII of the Civil Rights Act. Any employee, Manager or non-Manager, male or female, who engages in such activity shall be subject to disciplinary action which may include reprimand, suspension, demotion, or dismissal. It is not intended that this policy be construed as intent on the part of the City to regulate social interactions or relationships freely entered by employees. The position of the City regarding sexual harassment is defined as "zero tolerance". Any employee of the City found guilty of sexual harassment shall be immediately terminated and lose all privileges normally afforded to employees leaving the City in good standing.
- B. Prevention is the best tool for the avoidance or elimination of sexual harassment. The City will take all steps necessary to prevent such harassment from occurring and will take appropriate action when it is found to have taken place. Employees who feel they are or have been, or someone else is or has been, a victim of sexual harassment are encouraged to select a procedure in seeking a remedy which is comfortable: (a) filing complaint with the Mayor; (b) filing complaint directly with the Governing Body; or (c) following established grievance procedures. The written complaint or allegation shall contain details regarding dates, times, places, and circumstances surrounding the incident(s), and witness signatures when possible.
- C. Duty to Report: Any employee who becomes aware of the occurrence of sexual harassment will report the matter through the most confidential and direct means possible to preserve morale and discipline among employees by: (a) making a statement of known facts in writing to an appropriate authority and; (b) avoiding discussing the matter with co-workers and persons not directly responsible for investigating the matter.
- D. Investigation Procedure: The authority receiving the complaint shall take or direct that immediate action be taken by: (a) obtaining a written statement from complainant; (b) discussing the matter with alleged offender; and (c) obtaining statements from all

possible witnesses from both sides of the issue; (d) placing the accused individual on administrative leave with pay, pending the outcome of an investigation if the initial indications from witnesses point towards guilt. Upon completion, an investigation report shall be submitted to the Governing Body as appropriate. Failure by any employee to wholly and honestly cooperate with any investigation procedure shall be grounds Disciplinary Action, up to and including immediate suspension or termination.

- E. Action and Resolution: Based upon the report, steps shall be taken for immediate and appropriate action for determining whether alleged conduct constitutes sexual harassment. The Governing Body will examine the record and the totality of the circumstances, such as the nature of the sexual advances and the context in which the alleged incidents occurred. The determination of the legality of an action will be made from the facts, on a case-by- case basis, and may involve special legal counsel. If there appears to be no foundation to the allegation, other than the complaint: (a) no record shall be made of the allegation in either the alleged offender's or informant's (complainant's) personnel file; (b) a reiteration of the policy against sexual harassment may be appropriate; or (c) where bad faith allegations or misuse of this policy have occurred, disciplinary action shall be taken against the informant (complainant). If a foundation for the allegation exists, appropriate disciplinary procedures will be commenced against the offender. Any original and subsequent disciplinary action will be commensurate with the scope and severity of the occurrence.



## SECTION XII - SUBSTANCE ABUSE AND DRUG-FREE WORKPLACE

A healthy and productive workforce, safe working conditions free from the effects of drugs and alcohol, is essential to the maintenance of quality operations of the City and all services provided to the public. The abuse of drugs and alcohol creates a variety of workplace problems, including increased injuries on the job, increased absenteeism, increased financial burden on health and benefit programs, increased workplace theft, decreased employee morale, decreased productivity, and the decline in quality of overall facility operations. The City will act against employees who use, distribute or possess controlled substances on or off the job, and who violate City policy and rules about possession, distribution, and use of alcohol on the job.

1. All employees are subject to random drug testing.
2. Employees must report to work in a fit condition for duty. Being under the influence of alcohol, illicit drugs or prescription medications that impair the worker's ability to safely do their job or could endanger fellow employees or the public in general is prohibited. If an employee is on prescription drugs, the City may require a physician's certification of their ability to safely do their job.
3. Employees are not allowed to smoke, vape, consume alcohol or any illicit drug in any city building or vehicle. Doing so is immediate grounds for dismissal.
4. Employees who use or distribute drugs on the job are subject to discharge, and any drugs confiscated will be turned over to local law enforcement.
5. If an employee is under treatment with a drug that could alter his or her ability to do the job, the employee could be subject to reassignment within the department.
6. The City may require testing in the cases of "reasonable suspicion" of an employee consuming alcohol, using illegal drugs, or prescription drugs while on the job. Where there is, an accident involving a fatality, a serious injury, substantial damage to vehicles/equipment or substantial damage to other property, only those employees whose performance or lack of performance may have contributed to the incident shall be required to submit to "post-accident" testing.
7. Refusal by an employee to submit to drug testing may be interpreted as insubordination and subject to appropriate disciplinary action, including termination, after consideration of the circumstances and employee previous work history. All testing will be conducted at authorized medical or drug testing center at the expense of the City. Appeals and grievances related to such actions shall be processed and heard through the established grievance procedures of the City.

### SECTION XIII - CITY VEHICLES

All employees who operate City-owned vehicles, whether routinely or occasionally are responsible for abiding by all applicable traffic laws rules and policies. The City carries liability and property damage insurance on all vehicles and, therefore, employees are covered for accidents while driving vehicles on official City business.

- A. Policies that apply to use of City vehicles include the following:
1. Safe and courteous operation is mandatory.
  2. When doing typical or usual work during normal work hours (not traveling to a conference or the like) use of a City work vehicle is preferred. Use of a personal vehicle will only be reimbursed if it was previously authorized by the mayor or supervisor.
  3. A valid Utah driver's license is required before any employee may operate a City vehicle. The class of license shall be as required by the employee's job description.
  4. Seat belts shall be properly used always while operating a City vehicle.
  5. All accidents involving a City vehicle shall be reported using a City approved form.
  6. If an employee is involved in an accident while driving a City vehicle, the following shall apply:
    - a. Stops immediately, stay calm, secure vehicle;
    - b. Help injured and call an ambulance, if needed;
    - c. Call and inform the Mayor as soon as possible;
    - d. Don't argue with any involved party;
    - e. Call the sheriff's office to investigate and issue an accident report;
    - f. Complete an accident report.
  7. In the event an individual in the employ of the City receives a moving or nonmoving citation, at the fault of the driver, from a law enforcement agency, in a City-owned vehicle that individual shall be responsible for any fines or fees incurred. The employee must report any violations received in a city-owned vehicle.
  8. It is the driver's responsibility to ensure the vehicle is safe to drive. Verify safety of vehicle before operating. If safety problems are evident-do not operate vehicle. Report problems for repair. Vehicles must be kept free of debris, trash, and clutter that can interfere with safe operation.
  9. There shall be no riding outside any vehicle or in or on the bed of a truck.
  10. Smoking, vaping, or consuming alcohol or illicit drugs in any City vehicle is prohibited and is immediate grounds for dismissal.

## SECTION XIV - DISCIPLINARY PROCEDURES

- A. Disciplinary Action: It is not the policy of the City to establish a “progressive discipline” system for its employees. While some acts may result in progressive discipline, as described below, others may result in immediate serious consequences, including termination/dismissal. Administrative procedures have been established for the handling of disciplinary measures taken against employees such as dismissal, reprimand, suspension, and demotion. All such disciplinary measures shall follow finding of fact, the presentation of charges to the employee, and an opportunity for the employee to be heard. It is the responsibility of all employees to observe regulations necessary for the proper operation of the City functions.
- B. Dismissal: No employee may be dismissed from service because of a change in the appointed administration or elected official(s) of the City or for the political expediency of the governing body.
- C. Immediate Suspension: For any of the following or similar examples of acts or behaviors, the employee may be subjected to immediate suspension with dismissal pending the results of a formal investigation. The list below is not intended to be all-inclusive. A written letter stating reasons for disciplinary action must be sent by certified mail or be hand delivered (by two employees) to the employee and the Governing Body. The Mayor and/or designee shall schedule and conduct a hearing with the employee within fourteen (14) days of such action. Failure of the employee to appear, without good cause, constitutes a waiver of further appeal by the employee through the City grievance procedure. All dismissals are subject to the review and approval of the Governing Body.
1. Gross neglect of duty.
  2. Insubordination (willful noncompliance to a reasonable directive or assignment).
  3. Conviction of a felony, a crime of moral turpitude, while an employee of the City.
  4. Deliberate or careless conduct endangering the safety of the employee or others.
  5. Inducing or attempting to induce any employee to commit an unlawful act or violation of the City regulations, policy, procedures, practices or orders.
  6. Incompetence or inefficiency in performance of job duties that cannot be corrected and has resulted in an unsatisfactory rating on a performance evaluation.
  7. Carelessness or negligence with the City funds or property.
  8. Theft or intentional destruction of the City property.
  9. Intentional falsification of personnel records, time reports, or other the City records or documents.
  10. Being under the influence of intoxicants or drugs while on duty.
  11. Engaging in the distribution of or having possession of illegal drugs.
  12. Acting in a violent manner or threatening violence.

- D. Verbal Warning: Whenever grounds for disciplinary action exist, and the Mayor determines that more severe action is not required, the Mayor should verbally communicate to the employee the observed deficiency. Written documentation of the reprimand will be kept for future reference. Sufficient time for improvement should be given before more formal disciplinary action is taken unless extenuating circumstances dictate otherwise.
- E. Reprimand: The Mayor may reprimand an employee in writing for any of the reasons listed below. Such reprimand should be addressed to the employee and a signed copy should be placed in the employee's personnel file.
1. Failure to report to work without notifying the Department Head, unless it is impossible to give such notice and/or excessive absenteeism or tardiness.
  2. Horseplay and related kinds of activities which create safety hazards or distract other workers.
  3. Violating a safety rule or practice.
  4. Smoking in posted or unauthorized areas.
  5. Engaging in violent behavior or threatening violence.
  6. Inattentiveness to work, failing to start work at the designated time, quitting work early, or leaving employer's work premises without authorization.
  7. Vending, soliciting, or collecting contributions on the employer's time or premises without proper authorization.
  8. Unauthorized personal use of company equipment.
  9. Violating City, State or Federal Policy.
  10. Any other action that a supervisor, Mayor or Council deems to be unfitting of a Mona City representative.
  11. Disclosing confidential or privileged information.
- F. Reprimand Procedure:
1. First Reprimand: A written warning notice will be issued to the employee, with a copy placed in the employee personnel file.
  2. Second Reprimand: Ten hours of leave without pay.
  3. Third Reprimand: The penalty for a third reprimand shall be forty hours of leave without pay and possible dismissal.
  4. Third Reprimand within 1 year or 4 Career Reprimands: the employee may be suspended, demoted and/or dismissed.
- G. Suspension: A supervisor or the Mayor may suspend an employee without pay for up to fifteen working days (per incident or occurrence) as a disciplinary measure. On or before the effective date, the employee and the Governing Body shall be furnished with a written statement setting forth reasons for the suspension.
- H. Appeal: Any employee has the right to appeal.
- I. Corrective Action: When an employee's performance does not meet established standards for reasons other than willful misconduct, managers shall take appropriate corrective action in accordance with the following rules:

1. The supervisor or Mayor shall discuss the substandard performance with the employee to discover the reasons for such performance and to plan an appropriate solution with a date the corrective action is expected by.
2. During the implementation of corrective action, the Supervisor or Mayor shall frequently evaluate and document the employee's progress.
3. If the employee fails to improve their performance within the set standard of time, the employee maybe terminated.

## SECTION XV - EMPLOYEE GRIEVANCE & APPEAL PROCEDURE

A. General Statement: It shall be the policy of the City, insofar as possible, to prevent the occurrence of grievances and to deal with those which occur in a prompt, forthright, and professional manner. Every effort shall be made to adjust grievances within the framework of existing laws and regulations, in a manner mutually satisfactory to employees and management. A grievance may exist when an employee is dissatisfied with some condition or aspect of employment and desires remedial action and is desirous of filing an appeal for relief of the condition. The employee having the grievance shall have responsibility to carry on the grievance process as far as necessary to reach a satisfactory solution. The Department Heads shall assure that all personnel respond affirmatively to this policy and procedure and expedite the resolution or processing of any grievance that may be received.

B. Procedure:

**STEP 1:** An employee with a grievance or request shall first go to the Mayor with a written statement describing the conditions or circumstances and the remedy desired. If a remedy cannot be agreed to within ten (10) days, or if there is no action taken within ten days, the employee shall provide the Mayor with a copy of the grievance for further processing.

**STEP 2:** If the employee is unsatisfied with the decision of the Mayor, the employee shall deliver the written decision, along with a written statement from the employee, to the City Council; who shall hear testimony from any supervisors, the Mayor, employee and/or employee representative within twenty working days from receipt of notice of grievance. The Governing Body shall render a written decision within ten working days from the date of the hearing, which shall be final and binding as far as the City is concerned.

## SECTION XVI - PROGRAMS AND INCENTIVES POLICY

The City's Employee Recognition Program provides opportunities to recognize and reward employees for their years of service, meritorious performance and supportive attitude in addition to normal salary considerations. The program consists of both spontaneous and planned recognition.

A. Gifting

1. Significant Event: Flowers and/or a gift may be sent to City Council members or other personnel who are hospitalized, convalescing, have had surgery, the birth of or adoption of a child, etc. Funeral flowers or plants may be sent to City Council members or other personnel for an employee, spouse, mother, father, children or grandchild.

2. Holiday Gifts: Employees and Elected Officials may receive a Christmas gift.

B. Employee Appreciation Activities: The city shall sponsor the following special events to show appreciation for employees:

1. Summer Party and Christmas Dinner - All employees/volunteers/board members and their families.

2. Additional Activities – Additional activities as planned.

C. Facilities Use: Full Time and Part-time employees qualify to use the City facilities, free of charge, once per calendar year.