



Roosevelt City Corporation

PERSONNEL POLICIES AND PROCEDURES MANUAL

Revised August 7, 2018

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 its 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.

Contents

INTRODUCTION.....	7
SECTION I – EQUAL EMPLOYMENT OPPORTUNITY (EEO)	8
1. GENERAL POLICY.....	8
SECTION II – EMPLOYEE HIRING.....	8
1. EMPLOYMENT.....	8
2. RECRUITMENT	8
3. SELECTION.....	9
4. PLACEMENT	9
SECTION III – ALCOHOL AND DRUG FREE WORKPLACE	11
1. POLICY STATEMENT.....	11
2. COMPLIANCE WITH FEDERAL/STATE LAWS AND REGULATION	11
3. SCOPE OF POLICY	11
4. PROHIBITED BEHAVIORS.....	11
5. DRUG AND ALCOHOL TESTING.....	12
6. EMPLOYEE ASSISTANCE	12
7. NOTIFICATION OF CONVICTIONS.....	12
8. POSITIVE TEST RESULTS	13
9. ROOSEVELT CITY RESPONSIBILITIES	13
10. DRUG PROGRAM COORDINATOR'S RESPONSIBILITIES.....	13
11. UNIQUE SITUATIONS.....	13
12. DRIVER QUALIFICATION STANDARDS.....	13
SECTION IV – SEX/GENDER HARRASMENT	14
1. GENERAL POLICY.....	14
2. PROHIBITED CONDUCT	15
3. COMPLAINT PROCEDURE.....	15
4. TYPES OF CORRECTIVE ACTION	15
5. DISCIPLINARY ACTION.....	16
6. MAINTAINING COMPLAINT FILES.....	16
7. COMPLAINANT PROTECTION	16
SECTION V – EMPLOYEE CODE OF CONDUCT	17
1. PROFESSIONALISM	17
2. PRIVILEGED INFORMATION.....	17
3. CONFIDENTIALITY	17
4. GIFTS AND GRATUITIES	17

5. ATTENDANCE	18
6. APPEARANCE	18
7. SMOKING.....	18
8. PERSONAL USE OF CITY FACILITIES	19
9. VEHICLE USE POLICY	19
10. POLITICAL ACTIVITY	20
11. USE OF CITY COMPUTERS AND INTERNET ACCESS.....	20
12. SOCIAL MEDIA – ACCEPTABLE USE	21
SECTION VI – DISCIPLINARY ACTION.....	21
1. GENERAL POLICY.....	21
SECTION VII – TERMINATION OF EMPLOYMENT	22
1. TYPES OF TERMINATION	22
2. REQUIRED NOTICE PRIOR TO TERMINATION	23
3. COBRA	23
SECTION VIII – RECORD KEEPING	23
1. GENERAL POLICY.....	23
2. CONFIDENTIALITY	23
3. PERSONNEL FILES REQUIREMENTS	23
4. OTHER REQUIREMENTS	24
5. PERFORMANCE APPRAISALS.....	24
SECTION IX – EMPLOYMENT CLASSIFICATION/COMPENSATION	24
1. GENERAL POLICY.....	24
2. EMPLOYMENT CLASSIFICATIONS.....	24
3. EMPLOYMENT STATUS.....	25
4. TIME SHEET REQUIREMENTS	25
5. 9/80 WORK SCHEDULE PROGRAM.....	25
6. PAY PERIOD DEFINITIONS.....	31
7. COMP TIME (Earned and Used).....	31
8. OVERTIME.....	32
9. PAYROLL ADVANCES	32
10. ON-CALL COVERAGE.....	32
SECTION – X.....	32
1. WORKERS COMPENSATION	32
2. SOCIAL SECURITY/FICA	33
3. INSURANCE	33

4.	STATE AND FEDERAL UNEMPLOYMENT	34
5.	RETIREMENT SYSTEM.....	34
6.	EDUCATION AND TRAINING	34
7.	TENURE BONUSES	35
8.	EDUCATION/ CERTIFICATION INCREASE.....	35
9.	EXERCISE ROOM USE.....	35
10.	GOLF/SWIM PURCHASE	35
	SECTION XI – FAMILY AND MEDICAL LEAVE ACT.....	36
1.	GENERAL POLICY.....	36
2.	ELIGIBILITY.....	38
3.	LEAVE ENTITLEMENTS	38
4.	INTERMITENT LEAVE.....	39
5.	SUBSTITUTION OF OTHER AVAILABLE LEAVE FOR FMLA LEAVE.....	39
6.	SERIOUS HEALTH CONDITION	39
	SECTION XII – LEAVE OF ABSENCE.....	40
1.	ABSENT WITHOUT LEAVE.....	40
2.	VACATION LEAVE	40
3.	HOLIDAY LEAVE	41
4.	SICK LEAVE	41
5.	MILITARY LEAVE	42
6.	JURY LEAVE	42
7.	ADMINISTRATIVE LEAVE	42
8.	FUNERAL LEAVE	42
9.	LACTATION/ BREAST FEEDING	42
	SECTION XIII – FIREMAN BENEFITS.....	43
	SECTION XIV – OSHA REQUIREMENTS	43
1.	GENERAL POLICY.....	43
2.	POSTING OSHA NOTICES	43
3.	INSPECTION PROCEDURES	43
4.	ACCIDENT REPORTING PROCEDURES.....	44
	Appendix	45
	FORM – OBSERVED BEHAVIOR – REASONABLE SUSPICION RECORD	46
	FORM – ROOSEVELT CITY WEIGHT ROOM.....	48
	FORM – PERSONNEL POLICIES AND PROCEDURES MANUAL ACKNOWLEDGEMENT	49
	FORM – APPLICATION FOR FAMILY MEDICAL LEAVE	50

FORM – APPLICATION FOR FAMILY MEDICAL LEAVE 51
FORM – FMLA NOTICE OF LEAVE 52
FORM – FMLA CERTIFICATION OF HEALTH CARE PROVIDER..... 53
FORM – 9/80 WORK SCHEDULE AUTHORIZATION FORM..... 55

INTRODUCTION

Welcome,

As an employee of ROOSEVELT CITY CORPORATION (Roosevelt City) you will be expected to read, understand, and follow the Personnel Policies and Procedures contained in this manual.

It is the policy of Roosevelt City to comply with Federal and State Equal Employment Opportunity guidelines. To this end, Roosevelt City will not engage in any unlawful discrimination against any employee or applicant for employment because of race, color, religion, sex, national origin, disability, age, or veteran status, and will ensure that applicants and employees are treated without unlawful regard to these characteristics.

It is the obligation of each officer, manager, supervisor, and employee of Roosevelt City 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 or disability.

It is the policy of Roosevelt City to strive for safety in all activities and operations, and to comply with health and safety laws applicable to our business by enlisting the help of all employees to ensure that public and work areas are free of hazardous conditions.

No employee, officer, agent or other representative of Roosevelt City, other than the city manager 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 the Personnel Policies and Procedures manual.

As for the police department; hiring practices and qualifications, probationary status and other policies that may differ from Roosevelt City policies are necessary to protect the integrity of the policing in Roosevelt City. Any police policy differences are generally more restrictive in nature and are not intended to create a dual employee standard.

Roosevelt City reserves the right to change any of its policies and/or procedures at any time in the future for any reason.

This Personnel Policies and Procedures Manual is not, and shall not be construed as an explicit or implied contract, shall not modify the existing employment at-will status of any employee and shall not create any due process requirement in excess of Federal or State constitutional or statutory requirements.

SECTION I – EQUAL EMPLOYMENT OPPORTUNITY (EEO)

1. GENERAL POLICY

It is the policy of ROOSEVELT CITY to comply with Equal Employment Opportunity standards in all phases of personnel administration: Job structuring, recruitment, examination, selection, appointment, placement, training, upward mobility, discipline, etc., without unlawful regard to race, color, religion, sex, age, physical or mental disability, national origin or veteran's status.

Americans with Disabilities Act (ADA) and the ADA Amendments Act (ADAAA)

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act, known as the ADAAA, are federal laws that prohibit employers with 15 or more employees from discriminating against applicants and individuals with disabilities and that when needed provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

It is the policy of Roosevelt City to comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is Roosevelt City's policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

Roosevelt City will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation and/or if the accommodation creates an undue hardship to Roosevelt City. Contact the city manager with any questions or requests for accommodation.

SECTION II – EMPLOYEE HIRING

1. EMPLOYMENT

Job Descriptions defining the essential functions of the vacant position shall be drafted and adopted before the vacancy is posted or otherwise advertised internally or externally.

2. RECRUITMENT

- If hiring for a new position, it needs to be listed on the website for at least 2 weeks, and all applications should be received through the Roosevelt City Website.

Internal Promotions

It is the policy of Roosevelt City to give first consideration to current city employees when filling open positions.

External Advertising

Only the city manager or designee is authorized to place advertisements and respond to inquiries from employment agencies and/or job applicants.

Each Job Opening Notice should contain a statement indicating that Roosevelt City is an equal opportunity employer.

Job Opening Notices may be advertised in the appropriate media, and through any other channels the city manager deems appropriate.

Job Opening Notices may specify the name and the office of the person from whom Job Applications are to be obtained, the name and office of the person to whom completed applications are to be returned and the deadline for filing an application.

Advertisements may state that job applicants residing in Roosevelt City or the surrounding area will be given hiring preference.

3. SELECTION

Nepotism

It is the policy of Roosevelt City to comply with the provisions of Utah's Anti-Nepotism Act, Utah Code Sections 52-3-1 et. seq.

Employment of Minors

It is the policy of Roosevelt City that no one under the age of fourteen (14) shall be hired for any position.

Rehires

Job applications received from former employees will be processed using the same procedures and standards that govern all other applications. The city manager will review the former employee's personnel records and the circumstances surrounding termination of previous employment with Roosevelt City. Former employees who have been terminated for cause are not eligible for rehire unless otherwise authorized by the city manager. Applicants who are rehired shall be required to serve a probationary period.

Job Applications

All interested job applicants shall complete a Job Application.

All applications and resumes received for the job opening will be forwarded to the manager or designee. Upon receipt, each application and resume will be marked with the date it was received and placed in an Applicant's file for at least one year. Job applications shall be signed by the job applicant and the truth of all information contained therein shall be certified by the job applicant's signature.

Interviewing

The manager, or designee, will select applicants to interview from those who have passed the preliminary job application screening. Job related duties and qualifications will provide the basis for initial screening of job applicants. During the interview, all job applicants should be advised that any and all of the information provided may be subject to verification. Individuals conducting job interviews shall only ask questions that pertain to the job position.

Reference Checks

Roosevelt City may contact the references furnished by each job applicant, requesting job-related information. Similar information and questions may be requested for each job applicant.

4. PLACEMENT

Rejection Letters

Within ten (10) working days after the job offer has been accepted, non-selected job applicants shall be notified by mail.

Job offers

After a job applicant is approved by Roosevelt City, the city manager or designee shall notify the successful job applicant (prospective employee) of their selection through a written Job Offer Letter. The written Job Offer Letter shall clearly state the job description, salary conditions, and any provisional conditions of employment (i.e., successfully passing drug/alcohol and/or other tests). Additionally, the written Job Offer Letter shall clearly state that the offer is not accepted until the prospective employee signs the written Job Offer Letter and returns it to the city manager or designee of Roosevelt City by the requested date. The original Job Offer Letter is then filed in the prospective employees file and a copy is given to the new employee during orientation.

Medical examination

Once Roosevelt City has extended a conditional job offer to the prospective employee, a medical interview or examination may be conducted by a health professional chosen by Roosevelt City to determine a prospective employee's ability to fulfill essential job related requirements. Only the city manager or department head may authorize such interviews or physical examinations. All costs for required medical interviews or physical examinations will be paid by Roosevelt City. The prospective employee must sign a written release giving Roosevelt City access to the examination results.

Reinstatements

Employees who are reinstated as employees of Roosevelt City may maintain their original anniversary date for seniority purposes as well as for those benefit programs governed by the anniversary date. For employees who are eligible for reinstatement, the processes are:

Layoff. Employees who terminate because of reduction in work force will maintain their original anniversary date for seniority purposes if they are re-employed by Roosevelt City within one (1) year after date of termination.

Voluntary Resignations. Employees who voluntarily terminate their employment with Roosevelt City may maintain their original anniversary date, subject to city manager approval, if they are re-employed by Roosevelt City within six (6) months after date of termination.

Hiring new employees

Required for All Employees. During a new employee's first day of work, the city manager or designee, is responsible for having the new employee fill out all pre-employment forms, benefit applications, enrollment forms and to provide the new employee with the basic information on Roosevelt City policies concerning compensation, vacation, holidays, sick leave, other benefits, parking and work hours. All hiring of full time employees must be preapproved by the city manager before any steps of hiring are carried out.

Employment of Minors. Prior to any employment of a minor, child labor laws and compulsory school attendance laws will be reviewed and followed.

Probationary Period

All new employees, except volunteer firemen, shall be subject to a three (3) month probationary period to begin on the first day of employment. This probationary period is strictly used for calculating leave time and benefits. IT DOES NOT CHANGE THE EMPLOYEES AT-WILL STATUS. At the discretion of the city manager or designee, this probationary period may be waived for key employees. Thus they would be eligible for benefits the first day of the following

month, after they have been officially hired. Department heads can have extended probationary periods as they deem appropriate upon approval of the city manager.

SECTION III – ALCOHOL AND DRUG FREE WORKPLACE

1. POLICY STATEMENT

Roosevelt City is committed to provide a workplace where employees of the City and the general public can safely conduct business. It is the policy of Roosevelt City to provide a work environment that is free from the unlawful manufacture, distribution, sale, dispensation, possession, or use of controlled substances or alcohol.

2. COMPLIANCE WITH FEDERAL/STATE LAWS AND REGULATION

This policy has been written to comply with the current federal laws and regulations, state law and city ordinances which relate to a drug free workplace, drug and alcohol testing, drug abuse and alcohol misuse, employee conduct, corrective action and discipline.

3. SCOPE OF POLICY

This policy applies to all Roosevelt City employees. This policy also applies to final candidates under consideration for employment positions. Employment with Roosevelt City is conditional upon compliance with this policy.

Employees who hold positions designated by the city manager as safety sensitive are required to comply with a higher standard. These employees are subject to random drug and alcohol testing as authorized by the city manager.

Safety sensitive positions fall under the following categories:

- Positions where an employee is subject to drug and alcohol testing under the Omnibus Transportation Employee Testing Act of 1991. Including but not limited to: commercial driver licensed positions (CDL), aviation maintenance, and pilots.
- Positions that require an employee to carry or have access to firearms or class A explosives. Including but not limited to public safety officers.
- Positions involved in work that requires an employee to have access to controlled substances. Including but not limited to medical personnel and law enforcement personnel.
- Positions where the actions of an employee directly impact the safety and welfare of the general public, such as: radio dispatchers, law enforcement personnel, firefighters and utility providers.
- Positions that require an employee to have any level of Peace Officers Standards and Training (P.O.S.T.) certification. Including but not limited to law enforcement and correctional officers.

4. PROHIBITED BEHAVIORS

Failure to comply with any aspect of this policy, including, but not limited to the following behaviors, is prohibited and may result in disciplinary action up to and including termination:

- Unlawful manufacture, distribution, sale, dispensation, possession, or use of any controlled substance or alcohol during working hours, on Roosevelt City property, while operating a Roosevelt City vehicle at any time or any other vehicle while on duty, except where legally permissible.
- Refusal to submit to a drug and/or alcohol test without a medically verifiable reason, as determined by the city manager or the person responsible for administering the drug/alcohol test.
- Refusal to contact and cooperate with the drug testing official.

- Impeding a drug and/or alcohol investigation.
- Failure to appear for a scheduled drug and/or alcohol test without a reasonable or verifiable explanation.
- Substitution of, adulteration of, or tampering with a drug and/or alcohol test sample.
- Falsifying or attempting to falsify a drug and/or alcohol test sample or test result.
- Refusal to report for an assessment with a substance abuse professional.
- Refusal to enter an agreed upon rehabilitation program.
- Refusal or failure to successfully complete a drug and/or alcohol rehabilitation program.
- Failure to report a drug conviction to the city manager within five (5) calendar days.
- Using alcohol before being tested or within eight (8) hours of an accident, whichever comes first.
- Violation of last chance or return to work agreement.
- Use of alcohol after an accident and before being tested, if an alcohol test is required.

5. DRUG AND ALCOHOL TESTING

Under this policy, final candidates for safety sensitive positions and all employees are subject to drug and alcohol testing for, but not limited to: alcohol, cannabis (marijuana), cocaine, opiates, phencyclidine (PCP), amphetamines and the metabolites of these drugs. All sample collection and testing will comply with and/or mirror applicable Federal standards. Final candidates for safety sensitive positions and all employees are subject to one or more of the following tests:

- Pre-employment testing: Pre-employment drug tests will be given to final candidates for safety sensitive positions and employees transferring from non-safety sensitive positions, to safety sensitive positions. This includes drugs only. Pre-employment tests for alcohol will not be given.
- Critical Incident testing: Critical Incident drug and/or alcohol testing applies to all employees. A Critical Incident is defined as any unusual occurrence involving an employee, automobile, equipment where personal injury or property damage occurred or may have occurred. Within the context of this definition the city manager will determine what constitutes a Critical Incident.
- Reasonable Suspicion testing: Reasonable suspicion drug and/or alcohol testing applies to all employees.
- Post-accident testing: Post-accident drug and/or alcohol testing applies to all employees.
- Random testing: Random drug and/or alcohol testing applies to all employees.
- Return-to-duty testing: Return to duty drug and or/alcohol testing applies to all employees who have completed a substance abuse treatment program. This includes drug and/or alcohol.
- Follow up testing: Follow up drug and /or alcohol testing is ongoing testing, conducted on an unannounced basis, for any employee who has previously tested positive for drugs and/or alcohol.

6. EMPLOYEE ASSISTANCE

Employees with issues related to drugs and/or alcohol use or abuse are encouraged to seek assistance through private services.

7. NOTIFICATION OF CONVICTIONS

Employees must notify the city manager through their direct supervisor within five (5) calendar days when convicted under federal or state criminal statute regulating the manufacture, distribution, dispensation, possession, or use of a controlled substance.

8. POSITIVE TEST RESULTS

Roosevelt City will use the same cut off levels for positive drug and alcohol tests as set forth by the applicable federal agency. For non-safety sensitive employees the cut off levels for positive drug tests will mirror DOT regulations cut off levels. Blood alcohol concentrations for positive alcohol tests will be .04 for non-safety sensitive employees.

It is a violation of this policy to have a verified positive test for, but not limited to: marijuana, cocaine, opiates, phencyclidine (PCP), amphetamines and the metabolites of these drugs.

It is a violation of this policy to have a positive alcohol test at or above the established concentration levels.

9. ROOSEVELT CITY RESPONSIBILITIES

- Identify a Drug Program Coordinator to coordinate and monitor Roosevelt City's drug and alcohol program.
- Negotiate and secure contracts for collection, lab and medical review services.
- Create and make appropriate changes to the Roosevelt City's drug and alcohol policy.
- Propose changes to policy as needed.
- Disseminate policy, procedures, and information to departments.
- Designate jobs and/or positions as safety sensitive.

10. DRUG PROGRAM COORDINATOR'S RESPONSIBILITIES

- Monitor and enforce the drug and alcohol testing policy and procedures.
- Inform all employees of the existence and enforcement of this policy.
- Inform all final candidates for employment of the existence and enforcement of this policy.
- Propose changes in policy as needed.
- Provide the collection agency with updated lists of individuals subject to random drug and alcohol testing.
- After conferring with the city manager, determine the appropriate corrective action and/or discipline for employees who violate this policy.
- Coordinate rehabilitation, return to duty and/or follow up testing of employees as needed.
- Ensure record keeping is maintained in accordance with applicable state and federal regulations.
- Maintain applicable employee records.

11. UNIQUE SITUATIONS

Roosevelt City recognizes that situations may arise which are not specifically covered by this policy and program. These will be addressed on a case-by-case basis. Departments may develop their own policy to address specific practices, where latitude is given, provided that any such policy conforms to City, State and Federal laws and regulations. Department policies may not be less restrictive than this policy. All specific Departmental policies which differ from this policy must be approved by the city manager.

Any questions concerning this policy should be directed to the Drug Program Coordinator.

12. DRIVER QUALIFICATION STANDARDS

All employees or volunteers operating Roosevelt City owned vehicles, or who may operate any vehicle while conducting business for or on behalf of Roosevelt City must be authorized drivers. The authorization process requires an analysis of the employee's driving record to ensure compliance with the driver qualification standard as identified in this policy. As part of the driver qualification process all drivers or potential drivers' MVR (Motor Vehicle Record) will be screened

and monitored on an ongoing basis to ensure the standard is met and maintained. Drivers will be qualified as “Acceptable,” or “Borderline”. Drivers qualified as “Borderline” may be authorized to drive on a probationary basis as determined by the City Manager. Drivers who’s record does not meet the driver qualification standard will not be allowed to operate any vehicle while engaged in Roosevelt City business.

All drivers must possess a valid Driver’s License. Required endorsements must also be maintained. The driver qualification evaluation will be based on the driver’s MVR and may also take into account work related motor vehicle incidents, whether or not the incident has been recorded on the driver’s MVR. All violations recorded on the MVR, whether they occurred on the job or not, are included in the driver qualification evaluation. “Acceptable” or “Borderline” qualification will be determined using the following criteria. Any number of violations or accident in excess of the “Borderline” criteria constitutes a failure to meet the driver qualification standard resulting in revocation of driver authorization. (Note - DUI and DWI are not evaluated as a standard violation.)

Acceptable

- Up to 2 violations recorded on the MVR, or
- Up to 1 at fault work related accident in the prior three years, or
- A combination of 1 violation on the MVR and 1 at fault work related accident in the last three years.

Borderline

- 3 to 4 violations recorded on the MVR or,
- 2 at fault work related accidents in the last three years, or
- DUI or DWI within the last 2-5 years, or
- Any violation for Careless, Reckless or Distracted driving

A single major violation recorded on the MVR, or resulting from a work related incident, may result in revocation of the drivers’ qualification and driver authorization. Major violations include, but are not limited to:

DUI or DWI in the previous 24 months

Failure to stop/report an accident

-Making a false accident report

-Attempting to elude a law enforcement

-Others as determined by the City Manager.

SECTION IV – SEX/GENDER HARRASMENT

1. GENERAL POLICY

It is the policy of Roosevelt City that:

- The giving or withholding of tangible job benefits based on the granting of sexual favors (Quid Pro Quo) and any behavior or conduct of a sexual/gender based nature which is demeaning, ridiculing or derisive and results in a hostile, abusive or unwelcome work environment constitutes sexual harassment.

- Unlawful discrimination/harassment of employees of any type, on or off duty, based on sex/gender, subtle or otherwise, shall not be tolerated and violators will be subject to disciplinary action up to and including termination.
- Retaliation or reprisals are prohibited against any employee who opposes a forbidden conduct, has filed a charge, testified, assisted or participated in any manner in an investigative proceeding or hearing under this policy.
- False or bad faith claims regarding sexual or gender harassment shall result in disciplinary action against the accuser.
- Employees accused of sexual harassment and facing disciplinary action shall be entitled to receive notice of charges, the evidence to be used against them, and an opportunity to respond before any disciplinary action may be taken.
- Records and proceedings of sexual harassment claim(s), investigations, or resolutions are confidential and shall be maintained separate and apart from the employee's personnel file.
- All employees, supervisors and management personnel shall receive training on the sexual/gender harassment policy and grievance procedures during orientation and in-service training.

2. PROHIBITED CONDUCT

Any deliberate, unwanted, or unwelcome behavior of a sex/gender nature, whether verbal, non-verbal, or physical is prohibited.

Two major categories of sex/gender harassment are:

- Quid Pro Quo, or the extending, withholding, or conditioning of tangible job benefits for the granting of sexual favors.
- Creating a hostile or unwelcome work environment.

3. COMPLAINT PROCEDURE

In the event an employee has a complaint they must address the complaint through the proper chain of command. I.e. If the employee doesn't feel comfortable addressing the complaint to their immediate supervisor then they need to approach the department director. The proper chain of the command would be the following unless otherwise determined by the City Manager:

- Immediate Supervisor
- Department Director
- HR Co-Director/ Assistant City Manager
- City Manager

4. TYPES OF CORRECTIVE ACTION

Any employee who is being sexually harassed or who has personal knowledge of clearly offensive conduct may address the issue either through the formal or informal processes described below:

Informal Action:

Employees who are experiencing an unwelcome or hostile work environment may choose to address that unwelcome behavior/conduct informally by notifying the individual responsible for the behavior of the behavior that is objectionable, that the conduct/behavior is unwelcome and that future similar behavior will result in a formal complaint.

This notification may be:

- Verbally in person.
- In writing, signed or unsigned.

- Through a supervisor, verbally or in writing.
- The complainant victim may:
- Ask the supervisor for assistance in determining what to say and how to approach the alleged offending employee.
- Request the supervisor to accompany the complainant when the complainant gives the alleged offending employee notice.
- Ask the supervisor to give notice to the alleged offending employee, accompanied by the complainant.
- Ask the supervisor alone to provide notice to the alleged offending employee.

Formal Action:

Employees who are subject to prohibited conduct under this section shall seek relief through the formal remedial process.

Formal complaints should be in writing and specify:

- The identity of the complainant.
- The identity of the alleged offending employee.
- The alleged offensive behavior.
- The frequency of the offensive behavior.
- Damage the complainant suffered as a result of the offensive behavior.
- How the complainant would like the matter settled.
- The complainant will be allowed a reasonable amount of time during work to prepare a formal complaint.
- The complainant should submit formal written complaints to his/her immediate supervisor. If the immediate supervisor is the offending employee, formal complaints should be submitted to the next highest supervisor, the department head, the city manager or designee.

5. DISCIPLINARY ACTION

Employees found guilty of prohibited conduct under these sections may face disciplinary action up to, and including, termination.

6. MAINTAINING COMPLAINT FILES

Information related to any sex/gender harassment complaint, proceeding, or resolution shall be maintained in separate and confidential files. This information shall not be placed or maintained in the employee's personnel file.

Information contained in the sex/gender harassment complaint files shall be released only with the written authorization of the complainant and the city manager or designee.

Participants in any sex/gender harassment proceeding/investigation shall treat all information related to that proceeding/investigation as confidential.

7. COMPLAINANT PROTECTION

Individual complaints, either verbal or written, are confidential.

- Victims of alleged sex/gender harassment shall not be required to confront the accused outside of a formal proceeding.
- The accused shall not contact the victim regarding the alleged harassment.
- Retaliation or reprisals are prohibited against any employee who opposes a prohibited conduct under this policy, or who has filed a charge, testified, assisted, or participated in any manner in an investigation, proceeding or hearing.

- Any employee engaging in prohibited retaliatory activities shall be subject to disciplinary action up to, and including, termination.
- Retaliation is an additional and separate disciplinary offense.
- Retaliation may consist of, but is not limited to any of the following:
- Open hostility.
- Exclusion or ostracism.
- Special or more closely monitored attention to work performance.
- Assignment to demeaning duties not otherwise performed during the regular course of employment.

SECTION V – EMPLOYEE CODE OF CONDUCT

1. PROFESSIONALISM

Roosevelt City is a professional association whose purpose, among others, is to provide professional services to its citizens. Its employees must adhere to high standards of public service that emphasize professionalism, courtesy, and avoidance of even the appearance of illegal or unethical conduct. Employees are required to carry out efficiently the work assigned to them, maintain good moral conduct, and do their part in maintaining good relationships with city officials, supervisors, fellow employees, and the public.

2. PRIVILEGED INFORMATION

Employees who possess information of significant public interest may not use this privileged information for personal gain, nor to benefit friends or acquaintances. If an employee has an outside interest which could be affected by any of Roosevelt City's plans or activities, this situation must be reported to the city manager immediately. Each employee must ensure information made available to the general public is released only as permitted in the Government Records Access and Management Act.

3. CONFIDENTIALITY

Fellow employees expect all personal information about themselves and their families to be kept confidential. Every employee has an obligation to protect this confidence.

4. GIFTS AND GRATUITIES

Employees are prohibited from soliciting or accepting any gift, gratuity, favor, entertainment, loan or item of monetary value from any person or organization seeking to obtain or conducting business with Roosevelt City, or from any person or organization whose interests may be affected by the employees' performance or nonperformance of official duties except under circumstances allowed by the Utah Employee Ethics Act 67-16.

67-16-5. Accepting gift, compensation, or loan -- When prohibited.

1. As used in this section, "economic benefit tantamount to a gift" includes:
 - a. A loan at an interest rate that is substantially lower than the commercial rate then currently prevalent for similar loans; and
 - b. Compensation received for private services rendered at a rate substantially exceeding the fair market value of the services.
2. Except as provided in Subsection (4), it is an offense for a public officer or public employee to knowingly receive, accept, take, seek, or solicit, directly or indirectly for himself or another a gift of substantial value or a substantial economic benefit tantamount to a gift:
 - a. that would tend improperly to influence a reasonable person in the person's position to depart from the faithful and impartial discharge of the person's public duties;

- b. that the public officer or public employee knows or that a reasonable person in that position should know under the circumstances is primarily for the purpose of rewarding the public officer or public employee for official action taken; or
 - c. if the public officer or public employee recently has been, is now, or in the near future may be involved in any governmental action directly affecting the donor or lender, unless a disclosure of the gift, compensation, or loan and other relevant information has been made in the manner provided in Section 67-16-6.
 3. Subsection (2) does not apply to:
 - a. an occasional nonpecuniary gift, having a value of not in excess of \$50;
 - b. an award publicly presented in recognition of public services;
 - c. any bona fide loan made in the ordinary course of business; or
 - d. a political campaign contribution.
 4. This section does not apply to a public officer or public employee who engages in conduct that constitutes a violation of this section to the extent that the public officer or public employee is chargeable, for the same conduct, under Section 63G-6a-2404 or Section 76-8-105.

5. ATTENDANCE

Regular attendance and punctuality are essential to providing high quality work, service to customers, and to avoid extra work for fellow employees. Therefore, when an employee is going to be late or will not be able to report to work, the employee must notify his/her Supervisor prior to the scheduled work time. If the employee is ill or has an emergency, he/she should notify a Supervisor (immediate Supervisor preferred) as soon as possible on each day of absence. A doctor's note must be turned in to the employee's immediate supervisor that covers each scheduled working day that exceeds three (3) scheduled working days off due to a medical condition which, per the doctor's recommendation, requires an absence of attending work.

6. APPEARANCE

Roosevelt City expects its employees to present a favorable impression during any contact with the public. All employees are expected to maintain a neat and clean personal appearance. Standards of dress shall be appropriate to the job and the tasks to be accomplished.

7. SMOKING

In compliance with the Utah Indoor Clean air Act smoking is not permitted in Roosevelt City facilities, including vehicles.

It is the policy of Roosevelt City to prohibit smoking on all company premises in order to provide and maintain a safe and healthy work environment for all employees. The law defines smoking as the "act of lighting, smoking or carrying a lighted or smoldering cigar, cigarette or pipe of any kind."

The smoke-free workplace policy applies to:

- All areas of company buildings.
- All company-sponsored off-site conferences and meetings.
- All vehicles owned or leased by the company.
- All visitors (customers and vendors) to the company premises.
- All contractors and consultants and/or their employees working on the company premises.
- All employees, temporary employees and student interns.

Smoking is permitted in parking lots only.

Employees who violate the smoking policy will be subject to disciplinary action up to and including immediate discharge.

8. PERSONAL USE OF CITY FACILITIES

Limited use of Roosevelt City facilities by full-time employees is permitted as long as:

- It takes place during non-work hours and does not interfere with the Roosevelt City's use of the facilities.
- Approval must first be obtained from the city manager or designee.
- The employee cleans the area upon completion of use.
- The employee reports any damage to facilities or negligence use to the city manager.

Roosevelt City facilities may be used by full-time employees ONLY. Use by family and/or friends is not permitted. Failure to comply with these requirements will result in disciplinary action. If the Council or city manager determines this policy to be neglected or abused the policy will be abandoned. In this case, Roosevelt City will not allow personal use of its equipment or facilities.

By signing the Personnel Policies Acknowledgement each employee agrees to indemnify Roosevelt City, its employees, officials, personnel, and/or agents from any and all personal injury or property damage sustained while using the Roosevelt City's equipment and facilities.

9. VEHICLE USE POLICY

The purpose of this policy is to establish guidelines for the use of Roosevelt City (City) owned vehicles. These guidelines will help maximize the life cycle of all City vehicles. This policy will be reviewed as needed to ensure optimal efficiency.

In order to operate efficiently the City Manager and City Staff will determine how many vehicles the City needs in each department.

The purchase of new City vehicles must be coordinated with the City Budget Officer prior to the start of the budget year and will therefore be approved by City Council.

Each City owned vehicle will be assigned to an employee or a department (assignee).

- A. The assignee will be responsible for scheduling and documenting recommended servicing of the vehicle. This includes, but is not limited to; fuel, tire maintenance/replacement, oil changes, transmission service, and etc.
- B. The assignee will also be responsible for cleaning and general upkeep of the vehicle. The vehicle exterior will be cleaned a minimum of 2x per month and the interior will be cleaned a minimum of 1x per month.
- C. City vehicles will only be used for City business.
- D. City employees who are assigned a vehicle and live in City limits will be permitted to drive their vehicle home on a daily basis.
- E. Employees required to be on-call will be required to drive a city vehicle home the days they are on-call.
- F. Employees that are not on call and do not live in City limits will be required to park the assigned work vehicle at the city yard each day, at the end of their shift. When an employee is not on-call, the employee will be responsible to arrange for transportation to and from work.

10. POLITICAL ACTIVITY

- An employee shall not be coerced to support a political activity.
- An employee shall not engage in political activity during work hours, unless on approved leave.
- An employee shall not use Roosevelt City owned equipment, supplies or resources, nor incur other attendant expenses (computer online and access charges, etc.) when engaged in political activity.
- An employee shall not use his/her title or position while engaging in political activities.

11. USE OF CITY COMPUTERS AND INTERNET ACCESS

The use of Roosevelt City automation systems, including computers, fax machines and all forms of Internet access, is for Roosevelt City business and is to be used for authorized purposes only. Brief and occasional personal use of the electronic mail system or the Internet is acceptable as long as it is not excessive or inappropriate, occurs during personal time (lunch or other breaks), and does not result in expense to Roosevelt City.

Use is defined as "excessive" if it interferes with normal job functions, responsiveness, or the ability to perform daily job activities. Roosevelt City automation systems are Roosevelt City resources and are provided as business communications tools. Electronic communication "should not be used to solicit or sell products, distract coworkers, or disrupt the workplace."

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:

- Engaging in private or personal business activities;
- Misrepresenting oneself or Roosevelt City;
- Engaging in unlawful or malicious activities;
- Using abusive, profane, threatening, racist, sexist, or any objectionable language in messages;
- Sending, receiving, or accessing pornographic materials;
- 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.

Using Roosevelt City automation systems to create, view, transmit, or receive pornographic, racist, sexist, threatening, or otherwise objectionable or illegal material is strictly prohibited. "Material" is defined as any visual, textual, or auditory entity. Such material is subject to disciplinary action. Roosevelt City's electronic mail system must not be used to violate the laws and regulations of the United States or any other nation or any state, city, province, or other local jurisdiction in any way. Use of Roosevelt City resources for illegal activity can lead to disciplinary action, up to and including dismissal and criminal prosecution.

NOTE: Employees will be held responsible for systems that have been assigned to them. If you violate these policies, you will be subject to disciplinary action up to and including termination.

Inappropriate Use of the Internet/Intranet

Use of Roosevelt City's computer, network, or Internet resources to access, view, transmit, archive, or distribute racist, sexist, threatening, or otherwise objectionable or illegal material is strictly prohibited. Such material violates Roosevelt City's anti-harassment policies and is subject to disciplinary action. No employee may use 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.

Roosevelt City's Internet/Intranet facilities and computing resources must not be used to violate the laws and regulations of the United States or any other nation or any state, city, province, or other local jurisdiction in any way. Use of Roosevelt City's resources for illegal activity can lead to disciplinary action, up to and including termination and criminal prosecution.

12. SOCIAL MEDIA – ACCEPTABLE USE

Below are guidelines for social media use:

- Post only appropriate and respectful content.
- Maintain the confidentiality of Roosevelt City's confidential information. Do not post internal reports, policies, procedures or other internal business-related confidential communications unless otherwise allowed for by law.
- Do not create a link from your blog, website or other social networking site to a Roosevelt City's website without identifying yourself as a Roosevelt City's associate.
- Express only your personal opinions. Never represent yourself as a spokesperson for Roosevelt City unless authorized by the city manager. If Roosevelt City is a subject of the content you are creating, be clear and open about the fact that you are an associate and make it clear that your views do not represent those of Roosevelt City, fellow associates, members, customers, suppliers or people working on behalf of Roosevelt City. If you do publish a blog or post online related to the work you do or subjects associated with Roosevelt City, make it clear that you are not speaking on behalf of Roosevelt City. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of Roosevelt City."
- Roosevelt City may monitor content out on the Internet. Policy violations may result in discipline up to and including termination of employment.

Management Review

Roosevelt City management may perform periodic inspections of Roosevelt City systems, including desktops, servers, and laptops. If management discovers any inappropriate material, as defined in this policy, on any Roosevelt City systems the responsible party will be subject to disciplinary action up to and including termination.

SECTION VI – DISCIPLINARY ACTION

1. GENERAL POLICY

It is the general policy of Roosevelt City that all employees are at-will employees. The City Manager has the right to terminate, reprimand, demote, transfer, reduce wages, change job descriptions and duties or otherwise affect an employee's employment without notice, cause or hearing. As authorized and/or delegated by the City Manager, Department Heads also have the right to terminate, reprimand, demote, transfer, reduce wages, change job descriptions and duties or otherwise affect an employee's employment without notice, cause or hearing within their

respective department or area of responsibility. This general policy may not apply in certain departments or to certain officers or employees if the law required otherwise.

Progressive Discipline

Every employee has the duty and the responsibility to be aware of and abide by existing rules and policies. Employees also have the responsibility to perform his/her duties to the best of his/her ability and to the standards as set forth in his/her job description or as otherwise established.

Roosevelt City supports the use of progressive discipline to address issues such as poor work performance or misconduct. Our progressive discipline policy is designed to provide a corrective action process to improve and prevent a recurrence of undesirable behavior and/or performance issues. Our progressive discipline policy has been designed consistent with our organizational values, HR best practices and employment laws.

Outlined below are the steps of our progressive discipline policy and procedure. Roosevelt City reserves the right to combine or skip steps in this process depending on the facts of each situation and the nature of the offense. The level of disciplinary intervention may also vary. Some of the factors that will be considered are whether the offense is repeated despite coaching, counseling and/or training; the employee's work record; and the impact the conduct and performance issues have on our organization.

The following outlines Roosevelt City's progressive discipline process:

- **Verbal warning:** A supervisor verbally counsels an employee about an issue of concern, and a written record of the discussion is placed in the employee's file for future reference.
- **Written warning:** Written warnings are used for behavior or violations that a supervisor considers serious or in situations when a verbal warning has not helped change unacceptable behavior. Written warnings are placed in an employee's personnel file. Employees should recognize the grave nature of the written warning.
- **Performance improvement plan:** Whenever an employee has been involved in a disciplinary situation that has not been readily resolved or when he/she has demonstrated an inability to perform assigned work responsibilities efficiently, the employee may be given a final warning or placed on a performance improvement plan (PIP). PIP status will last for a predetermined amount of time not to exceed 90 days. Within this time period, the employee must demonstrate a willingness and ability to meet and maintain the conduct and/or work requirements as specified by the supervisor and the organization. At the end of the performance improvement period, the performance improvement plan may be closed or, if established goals are not met, dismissal may occur.

Roosevelt City reserves the right to determine the appropriate level of discipline for any inappropriate conduct, including oral and written warnings, suspension with or without pay, demotion and discharge.

SECTION VII – TERMINATION OF EMPLOYMENT

1. TYPES OF TERMINATION

Voluntary Resignation. When an employee wishes to leave Roosevelt City, he or she will furnish a written Notice of Voluntary Resignation to his/her immediate supervisor. Notice should be given two weeks prior to the last date of work.

Reductions in Force/Layoffs. Whenever it is necessary to reduce the number of employees at Roosevelt City because of lack of work or lack of funds, Roosevelt City may attempt to minimize layoffs by readjustments of personnel through reassignment of duty or other work areas, but still

reserves the right to reduce workforce through permanent or temporary layoffs at the discretion of Roosevelt City and its management.

Medical. The American's with Disabilities Act (ADA) prohibits illegal discrimination by an employer against an "otherwise qualified individual with a disability." Consequently, an employee should not be terminated for medical reasons without prior consultation with legal counsel.

Death. If an employee of Roosevelt City dies, his/her estate receives all pay due and any earned and payable benefits (such as payment for compensation time, annual leave, and/or sick leave) as of the date of death.

Involuntary. All employees are "at will" and may be terminated with or without cause.

2. REQUIRED NOTICE PRIOR TO TERMINATION

All employees must notify their direct supervisor and department head at Roosevelt City at least two (2) weeks before retiring or voluntarily resigning to be eligible for:

- Pay of unused, earned vacation leave (if applicable).
- Pay of unused sick leave (if applicable).
- Re-hirable status
- Pay of earned and unused compensation time.

Roosevelt City does not have a requirement to give any prior notice to an employee before terminating their employment with Roosevelt City. When Roosevelt City terminates employment, Roosevelt City will determine whether any pay for unused, earned vacation leave (if applicable) or pay for unused sick leave (if applicable) will be paid to the terminated employee.

3. COBRA

Any employee that is separated from Roosevelt City is entitled to a continuation of insurance coverage per the mandate of the Consolidated Omnibus Budget Reconciliation Act of 1985 or COBRA.

SECTION VIII – RECORD KEEPING

1. GENERAL POLICY

Federal law requires employers to keep certain records and information on their employees.

2. CONFIDENTIALITY

Confidentiality must be maintained at all times with access to personal records limited to employees and those within their supervisory chain.

It is the policy of Roosevelt City that only relevant, job-related information is maintained on its employees, that such information is held in strict confidence, and that access is limited only to those who require it for legitimate reasons.

Employees have the opportunity to review their own files in the presence of the city manager or designee, on Roosevelt City premises during regular business hours.

3. PERSONNEL FILES REQUIREMENTS

General. The personnel file may contain the job application, resume, Employment Eligibility Verification, (Form-9) Employee's Withholding Allowance Certificate, and such other records as required by law and as determined by the city manager or designee.

Federal Labor Standards Act (FLSA) Minimum Wage Requirements. Roosevelt City should keep the following data on all employees for a period of at least two (2) years.

- Employee's sex;
- Day and time work week begins;
- Hours worked each day and total hours worked each week;
- Total daily or weekly straight-time earnings;
- Total additions to, or deductions from wages paid each pay period, including an explanation of items that make up additions and deductions;
- Date of payment and pay period covered; and
- Total overtime for each work week.

4. OTHER REQUIREMENTS

There are record keeping requirements under other federal and state laws over which the personnel record keeping function has jurisdiction:

- OSHA record of injuries.
- ERISA record of pensions.

Immigration Reform and Control Act (IRCA) requires verification of status forms to be kept for three (3) years after the person is hired or for one (1) year after employment is terminated, whichever is later.

5. PERFORMANCE APPRAISALS

It is the policy of Roosevelt City not to require its department heads or supervisors to conduct performance appraisals. All employees are expected to perform their assigned duties in a manner that is acceptable to their immediate supervisor and Roosevelt City management. Any deficiencies will be noted and discussed with the employee and if not corrected the employee will be subject to termination consistent with the "at will" policy. Employees are required to comply with the respective processes and procedures outlined in their applicable department bylaws.

SECTION IX – EMPLOYMENT CLASSIFICATION/COMPENSATION

1. GENERAL POLICY

Roosevelt City will pay at least minimum wage and overtime to all employees except those who are specifically exempt from minimum wage and overtime under the Fair Labor Standards Act (FLSA) of 1938.

2. EMPLOYMENT CLASSIFICATIONS

There are three classifications of employees within Roosevelt City:

- **Full-time.** The definition of "full-time employee" is an employee hired for an indefinite period in a position for which the normal work schedule is forty (40) hours per week. Full-time employees qualify for benefits as set forth herein.
- **Part Time.** The definition of a "part time employee" is those who work less than 30 hours per week on average consistently year round. The less than 30 hours average calculation is based on using benefit ineligible ACA classification calculations to maintain less than 30. Part-time employees are not eligible for benefits.
- **Seasonal.** The definition of a "seasonal employee" is those who work less than 52 weeks per year such as some golf and parks employees. They work less than 30 hours per week on average. The less than 30 hours average calculation is based on using benefit ineligible ACA classification calculations to maintain less than 30. Seasonal employees are not eligible for benefits.

3. EMPLOYMENT STATUS

To properly facilitate the overtime eligibility provisions of the Fair Labor Standards Act, employees shall also be classified as exempt or non-exempt. The distinction determination between exempt and non-exempt per employee will be measured with the FLSA standards and updated on the employee's profile.

Only nonexempt employees are authorized to accrue overtime, compensation time, and on-call pay.

4. TIME SHEET REQUIREMENTS

All time off must be approved by the employee's designated immediate supervisor as dictated in Pelorus Timekeeper.

Every employee will be required to furnish to the Finance Department a complete electronic time-sheet no later than the Monday after the end of each pay period. If a holiday falls on a Monday then no later than Tuesday morning.

The time-sheet should always be signed by the employee and his/her immediate supervisor.

It will be the immediate supervisor's responsibility to find and correct all errors on an employee's time sheet before submitting to the Finance Department.

5. 9/80 WORK SCHEDULE PROGRAM

Policy

The objective of this program is to provide a 9/80 work scheduling option for managers to use in helping employees to better balance their working lives with their personal lives, while at the same time ensuring that work requirements continue to be accomplished. It is in the best interest of the City to support employee participation in alternative work schedules when they are compatible with the accomplishment of work requirements and the duties and responsibilities of individual positions lend themselves to such work arrangements.

This work schedule allows employees to fulfill their work requirements of 80 hours in a biweekly pay period over nine workdays (i.e., five days one week and four days the other week). For eight of the workdays, an employee works nine hours plus a 30-minute lunch break every workday, and for one workday, the employee works eight hours plus a 30-minute lunch break and has one regular day off each biweekly pay period. The lunch break is in addition to the employee's eight or nine-hour daily work requirement.

Participation in an alternative work schedule is a management option rather than a right or entitlement of an employee. An employee's participation in alternative work schedules is strictly voluntary and is subject to management approval. Management has the right to deny or terminate and employee's participation in an alternative work schedule. In addition, a supervisor has the right to alter an employee's established work schedule from time to time in response to work requirements, temporary duty, training, etc.

Scope

This notice applies to all full-time exempt and non-exempt employees. Employees who are part-time or reduced work schedules are excluded from participation.

Definitions

Administration Workweek – A pay period of seven consecutive calendar days beginning on Sunday and ending on the following Saturday.

Basic Work Requirement – The number of hours, excluding overtime hours, and employee is required to work or account for periods of absence by charging leave, holiday hours, excused absence, or leave without pay. A full-time employee must work 80 hours during a biweekly pay period.

Basic Workweek – The 40-hour workweek established for full-time employees within each administrative workweek. For the purposes of the 9/80 work schedule, the employee's new work week will begin exactly four (4) hours after the starting time of their 8-hour day, and end exactly one minute prior to that the following week. For example, if the employee's 8 hour work day is on Friday, and they are scheduled to work 8:00 a.m. to 5:00 p.m., the basic work week begins at noon on Friday, and ends at 11:59 a.m. the following Friday.

Biweekly Pay Period – The two week period for which an employee is scheduled to perform work.

Core Hours – the time periods of the workday, 8:00 a.m. to 5:00 p.m., during which an employee covered by this flexible work schedule is required to be present for work.

Flexible Hours – The time periods during the workday in which employees covered by a flexible work schedule may choose to schedule their arrival and departure times subject to manager approval.

Flexible 9/80 Work Schedule – A type of flexible work schedule in which an employee is allowed to complete the 80-hour biweekly basic work requirement over nine workdays (i.e., five days one week and four days the other week) subject to management approval. For eight of the workdays, an employee works nine hours plus a 30-minute lunch break each workday, and for one workday, the employee works eight hours plus a 30-minute lunch break and has one regular day off (eight hours) each biweekly pay period.

Lunch Break – The lunch break for employees participating in the 9/80 work schedule is a minimum 30 minutes which is in addition to the daily eight or nine-hour work requirement for that workday. Lunch breaks are unpaid time.

Non-workday – A day outside of the employee's basic workweek; full-time employee with a Monday through Friday workweek has Saturday and Sunday as non-workdays. The employee's regularly scheduled day off under the Flexible 9/80 work schedule also constitutes a non-workday or "flex day" based on the fact that the employee has voluntarily agreed to earn pay for that pay period on the other 9 workdays of that pay period.

Schedule Change – A modification or adjustment in the established work schedule of an employee which may be initiated by either the supervisor or employee on a permanent or temporary basis.

Responsibilities

Employees who are participating in the 9/80 work schedule option are responsible for:

- Communicating and seeking mutual agreement with the supervisor on work schedules.
- Requesting participation in the Flexible 9/80 work schedule, if desires, by completing a Work Schedule Authorization Form, see appendix.
- Complying with provisions and requirements under this policy.
- Providing advance notification of leave and any permanent or temporary schedule changes in accordance with the timeframes specified in this policy under, "Changes in Work Schedules".

- Non-exempt employees are required to maintain daily time and attendance in accordance to the systems procedures and established timeframes.
- Exempt employees are required to meet the “Basic Workweek Requirements” as defined under this policy.
- Certifying time and attendance by reviewing and “final submitting” to ensure that it accurately reflects hours worked, leave taken, and any overtime earned or used during the pay period.

Supervisors who are supervising employees on a 9/80 work schedule are responsible for:

- Communicating and seeking mutual agreement with the employee on work schedules.
- Ensuring there is adequate office coverage during official hours (8:00 a.m. – 5:00 p.m.) and that customer service needs and work requirements are not adversely affected by employee participation in alternative work schedules.
- Reviewing and recommending approval or disapproval of employee Work Schedule Authorization Forms and permanent requests for changes.
- Suspending an employee’s alternative work schedule when workload requirements, temporary duty, or training preclude participation.
- Informing employees of any modifications in work schedules in accordance with the timeframes specified in this policy under, “Changes in Work Schedules”.
- Taking final action on approving all temporary changes in work schedules and permanent changes initiated by an employee to terminate participation.
- Recommending the termination of an individual employee’s participation because of programmatic reasons, adverse impact on accomplishment of work, or employee noncompliance with procedural requirements.
- Certifying the time and attendance records submitted to Payroll each period for each employee are correct and accurately reflect the hours worked and that any leave taken and any overtime has been properly recorded.

Department heads and City Manager are responsible for:

- Final approval of an employee’s Work Schedule Authorization Form to participate in the 9/80 work schedule.
- Ensuring that employee participation in alternative work schedules is equitable and consistent across work units within the organization.
- Determining the impact of work schedule on the department and taking appropriate action to expand, continue, or terminate participation.
- Taking final action on terminating an employee’s participation because of programmatic reasons, adverse impact on accomplishment of work, or noncompliance with procedural requirements, based on the recommendations made by the immediate supervisor.

Requesting Participation in the 9/80 Work Schedule Option

- Employees must request permission to participate in the 9/80 work schedule. Employee requests to participate in the 9/80 work schedule must be made in writing in advance, taking into account the need for higher level management approval and the fact that the effective date on which an employee may begin the schedule must coincide with the beginning of a full pay period. Employees who wish to participate in this option must complete a Work Schedule Authorization Form, see appendix, and submit it to their immediate supervisor to obtain the necessary management approvals.

- The immediate supervisor will review the employee's Work Schedule Authorization Form, Recommend for approval or disapproval, and forward the request to the Department head or City Manager for final approval.
- In reviewing an employee's Work Schedule Authorization Form, the Supervisor and the Department of Head or City Manager shall consider the eligibility of the employee, the duties and responsibilities of the employee's position, and the requirements of the work situation based on the following criteria:
 - Adequate staff coverage is available during the employee's requested day off.
 - Work unit's ability to efficiently fulfill its mission, including service to both internal and external customers.
 - Position does not have work requirements which preclude a regularly day off every pay period.
 - Employee's performance demonstrates the ability to accomplish work assignments on a timely basis without continuous, direct supervision.
 - Within the previous twelve months, the employee has had no record of leave abuse, leave restriction, or other time and attendance problems.
 - The proposed final action on the employee's requested work schedule is consistent with decisions made on other positions with similar duties, responsibilities, and work requirements in that organization.
 - The employee is not currently participating in a part-time or reduced hour arrangement.
- If approved, the employee will be assigned to the schedule effective the first day of the next full pay period following the date of approval, unless otherwise instructed by the supervisor.
- Upon final approval, the supervisor will provide the employee with a signed copy of the Work Schedule Authorization Form, which becomes the employee's established work schedule. A copy will also be furnished to payroll and Human Resources to maintain on file.
- If an employee is promoted, reassigned, or detailed from a position in one work unit to a position in another work unit, the employee must complete a new Work Schedule Authorization Form for management approval.
- An employee's failure to comply with time reporting through proper procedures may constitute grounds for terminating an employee's participation in an alternative work schedule and may result in disciplinary action.

Pay and Leave Administration Procedures

General guidance on the administration of 9/80 work schedules with respect to pay, leave, and holidays is presented below. Supervisors, employees, and the payroll coordinator should review this information carefully.

Basic Work Requirement

- The basic work requirement for a full-time employee is 80 hours in a biweekly pay period.
- Employees assigned to the Flexible 9/80 schedule fulfill their work requirement of 80 hours in a biweekly pay period over nine workdays (i.e., five days one week and four days the other week). For eight of the workdays, an employee works nine hours plus a 30-minute lunch break, and for one workday, the employee works eight hours plus a 30-minute lunch break and has one regular day off (eight hours) during the pay period.
- The basic work requirement is the same for exempt employees as it is for non-exempt employees for the purpose of this policy.

Example of a 9/80 Work Schedule

Week 1 Schedule							
Sun	Mon	Tue	Wed	Thurs	Fri	Sat	Total
	9	9	9	9	8		44
Week 2 Schedule							
Sun	Mon	Tue	Wed	Thurs	Fri	Sat	Total
	9	9	9	9	OFF		36

Flexible Hours

- Flexible Hours under 8/90 work schedule are defined as the hours between
 - 7:00 a.m. to 8:00 a.m. (Scheduled Arrival Time)
 - 11:30 a.m. to 1:30 p.m. (Scheduled 30-minute Lunch Break)
 - 3:30 p.m. to 7:00 p.m. (Scheduled Departure Time)
- Employees are permitted to select arrival and departure times within the flexible hours designated above subject to management approval. If approved, the work hours are fixed but employees may request temporary changes to vary their arrival and departure times subject to supervisory approval.
- Based on the flexible hours designated above, the earliest an employee may arrive is 7:00 a.m.; the latest, 8:00 a.m. The earliest employee may leave is 4:00 p.m.; the latest, 6:00 p.m. Therefore, in order to complete a nine-hour workday with a 30-minute lunch break, an employee may not start work later than 8:00 a.m. in order to leave work by 5:30 p.m.

Core Hours

- Core Hours are time periods during the workday in which employees are required to be present or on scheduled leave. Core hours under this policy are defined as the hours between:
 - 8:00 a.m. to 11:30 a.m.
 - 1:30 p.m. to 4:00 p.m.
 - Monday through Friday, except on the employees regular day off

Overtime Work Determinations and Compensation

- Overtime work is work that is ordered and approved in advance by management in excess of the employees daily eight or nine-hour basic work requirement for that workday.
- The existing rules on overtime under the Fair Labor Standards Act (FLSA) apply for all non-exempt employees.

Lunch Break

- The lunch break is 30 minutes, which is in addition to the eight or nine-hour daily work requirement. The lunch period may not be skipped in order to shorten an employee's workday or to make up any time missed during the workday.
- Employees who prefer a work schedule with a lunch break longer than 30 minutes have the option of using additional time during the flexible period between 11:30 a.m. and 1:30 p.m., if approved by their supervisor. Any such extended lunch break is in addition to the eight or nine-hour basic work requirement for that workday.

Vacation or Sick or Other Leave

- Time off from work for vacation or sick will be charged nine (9) hours for the time taken on a scheduled nine hour day. Time off from work on eight (8) hour work day will be charged eight (8) hours.
- Any other leave offered by the city will be paid at the normal rate or eight (8) hours.
- If FMLA leave is being calculated on a daily basis, it will be charged nine (9) hours for time taken on a scheduled nine hour day and time off from work on the eight (8) hour work day will be charged eight (8) hours.

Holiday Pay (when no work is performed)

- Employees who do not work on a day designated as a holiday (or a day observed as a holiday) are entitled to their rate of basic pay on that day for eight (8) hours. The first eight (8) hours of the employee's work schedule are designated as "holiday hours."
- Because an employee on a 9/80 work schedule cannot receive more than eight hours of pay on a holiday, that holiday will automatically become the employee's eight-hour workday for any pay period in which a holiday occurs.
- For example, if President's Day falls on Monday of the first week of the pay period and that happens to be a nine-hour workday of the employee, then the holiday will automatically become the employee's eight-hour workday for that particular pay period.
- If a situation occurs where one of the workdays in a pay period is the employee's regular day off and that particular day happens to be a holiday (e.g., Presidents Day), the employees participating in the 9/80 work schedule will revert back to a 5/8 workweek for that pay period.

Changes in Work Schedules

- A supervisor or an employee has the option to initiate changes in work schedules on a permanent or temporary basis.
- Supervisors will notify employees as soon as possible in advance of management required schedule changes. All changes in work schedules must be documented in writing by completing the Work Schedule Authorization Form, see appendix.

Permanent Changes

- Management has the right to terminate an employee's established work schedule on a permanent basis. This may occur for various reasons including programmatic concerns, inability of the employee to accomplish work requirements, or employee's non-compliance with procedural requirements of the program.
- An employee may also request a permanent change in work schedule to terminate participation in the 9/80 work schedule.
- Employee-initiated schedule changes must be requested in writing and approved by the supervisor prior to the beginning of the pay period in which the change will occur. The employee should complete a Work Schedule Authorization Form, see Appendix, with the proposed new schedule and reason(s) for the change noted in the remarks section and submit it to the supervisor a week before the beginning of the pay period in which the change will take effect.
- First line supervisors have the authority to approve employee-initiated requests to terminate participation in the 9/80 work schedule

Temporary Changes

- A supervisor has the right to temporarily change or modify an employee's work schedule and scheduled days off for operational reasons including anticipated or emergency work requirements, training, or temporary duty.
- Such temporary changes may be done at the request of the employee
- The duration of a temporary change will vary in length depending on the situation but normally will not exceed two pay periods.
- Schedule changes must be documented and communicated to employees in advance of the beginning of the administrative work.
- Schedule changes where the employee will have to return to an eight-hour workday, 40-hour workweek, must be effected at the beginning or the pay period in which the training, temporary duty, or other work requirement precipitating the change will occur.

When an employee covered by 9/80 work schedule is assigned to a temporary duty station using another work schedule, the supervisor should make necessary adjustments to the employee's work schedule on a case-by-case basis, ensuring that the 80-hour work requirement in a biweekly pay period is met. The employee may be permitted to continue to use the 9/80 work schedule, if appropriate. However, in many cases, the employee will be required to revert to the basic five-day workweek or conform to the schedule used by the temporary worksite. If changed to the basic five-day workweek, the employees will remain on that work schedule for the duration of pay period(s) while in travel status.

6. PAY PERIOD DEFINITIONS

Roosevelt City requires all employees to participate in a direct deposit payroll system. Employee wages will be transferred to the employees designated account by the Thursday following the end of each payroll period. This is subject to change by the city manager or designee.

7. COMP TIME (Earned and Used)

Non-exempt employees will be eligible for comp time when they work above and beyond their normally scheduled forty (40) hour work week. A work week begins on Sunday and ends on the following Saturday.

- Before an employee can earn comp time the week must be completed.
- Only actual hours worked in a work week will be used to calculate comp time.
- Employees will be able to use comp time only when it has been approved by their department heads.

Comp time will be calculated at one and one-half times the hours actually worked above and beyond the regular forty (40) hour work week. The following formula will be used, $(\text{total hours} - 40) \times 1.5 = \text{comp hours earned}$.

The Police Department will have until the end of the subsequent pay period to take the comp time they have earned the previous period. If it cannot be taken by that time, the Police Chief can authorize the officer to be paid for the unused comp hours. It will be the officer's and the Chief's responsibility to keep track of the comp hours they have accumulated.

Full-time employees will have until the end of the calendar year to use their comp time. (Full-time, non-exempt parks department employees will have until March 31 of the following year.) It will be the employee's responsibility to keep track of their own comp hours.

The maximum carry over amount for all city employees from year to year is forty (40) comp hours. A cash out option will be required at the end calendar year, or March 31 for Parks Department, to reduce carryover to forty (40) hours after approval of the city manager.

Exempt employees are eligible for admin leave, not comp time.

Any departmental exemptions to comp time earning and usage would need to be approved by the city manager.

8. OVERTIME

All overtime will be paid as comp time for full time non-exempt employees unless payment is authorized by the supervisor and approved by the city manager.

Only actual hours worked in a work week will be used to calculate overtime. The defined work week will be used to determine overtime.

Seasonal and part time employees will be paid time and one-half for all hours worked beyond forty (40) hours in the defined work week for that respective employee.

All hours worked on a city approved holiday must be approved by a Supervisor.

Any departmental exemptions to overtime earning and usage would need to be approved by the city manager.

9. PAYROLL ADVANCES

Roosevelt City does not allow payroll advances.

10. 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

- 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. (ie. 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.

SECTION – X

1. WORKERS COMPENSATION

All employees are covered by Workers Compensation insurance which provides medical reimbursement and disability benefits for job related illness or injury. An employee does not

accrue benefits while receiving Workers Compensation payments. Details may be found in the compensation contract on file with the city manager.

- Employees may use earned vacation or sick leave to make up the difference between Workers Compensation benefits and their take home pay.
- **Medical Attention.** An employee who sustains a bona fide, on-the-job injury or illness may seek medical attention from the employer identified work comp clinic or health care provider. They must tell the doctor, HOW, WHEN and WHERE the accident occurred or illness was contracted. The doctor will complete a medical report, copies of which should be sent within seven (7) days to the insurance carrier, the Industrial Commission, and to the sustaining employee. Medical bills for on-the-job related injury or illness shall not be submitted to the regular medical plan.
- **Initial Reporting of Illness or Injury.** Reporting the accident or illness is critical to qualification for payment under Workers Compensation. All job related injuries or illness, no matter how minor, should be reported to the city manager, department head, and assistant city manager immediately (within 15min) and Immediate supervisor. Failure to do so may result in disciplinary action up to termination. After Form 122 is filled out, both the Industrial Commission and the insurance carrier copies are sent to the insurance carrier within seven (7) days of the date of the injury or illness.
- **Reporting While Off The Job.** While on leave because of a bona fide, on-the-job injury or illness, an employee must contact his/her supervisor or the city manager to report on his/her daily condition. Failure to provide the required medical status reports may result in revocation of the leave and/or immediate termination.
- **Return to Work.** All employees must return to work after release by the attending physician. A statement from the attending physician stating the employee is able to resume normal duties will be required before returning to work. Failure to return to work when so released may result in immediate termination. An employee who is able to return to work in light duty status may be required to work in a different department and perform duties not contained within his/her current job classification.
- **Return To Work Accommodation.** At the time of final release or settlement of a Workers Compensation claim, if no sick or vacancy leave exists; and if a reasonable effort, which has proven to be unsuccessful, has been made to place the employee in another position, he/she may be terminated and paid any accrued benefits due to them.

2. [SOCIAL SECURITY/FICA](#)

All employees are covered by the Social Security/Medicare insurance as provided by law. Contributions by the employee and Roosevelt City will be made in accordance with the provision of the law.

3. [INSURANCE](#)

- **Medical Health Insurance.** Medical insurance is available for all full time employees after successfully completing the probationary period.
- **Life Insurance.** Basic life insurance and AD&D insurance is available for all full time employees after successful completion of the probationary period. 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 starting the first day of employment.

- **Dental Insurance.** Dental insurance coverage is available for full-time time employees if the employee agrees to and pays a portion of the cost of the premium. This coverage is available after successful completion of the probationary period.

4. STATE AND FEDERAL UNEMPLOYMENT

All employees 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.

5. RETIREMENT SYSTEM

The retirement for all full-time employees 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 city manager or designee.

- Exemption from Participation in the Utah Retirement Systems (URS)
 - The following positions may be exempted from participating in the Utah Retirement Systems:
 - City Manager
 - Assistant City Manager
 - Finance Director
 - Police Chief
 - Public Works Director
 - Water Source Director
- 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 may be 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 – after the end of each calendar year has completed, any employee that has in excess of 300 hours will be required to rollover into a personal retirement savings plan such as a 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. (i.e. for employee's in their first year of employment they are allowed up to 104 hours toward the basis, and those after the first year will be allowed up to 52 hours.)
 - Compensatory Time - after the end of each calendar year has completed, any employee that has in excess of 40 comp hours will be required to cash out the excess. (March 31 for Parks Department.) Up to 300 hours of this cash out can be applied toward the basis of the retirement calculation each year.

6. EDUCATION AND TRAINING

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.

NOTE: 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.

7. TENURE BONUSES

Each full-time employee will receive a tenure bonus after being employed by Roosevelt City for given set periods of continuous employment. Payment will be issued on a yearly basis in December. As an example, if an employee reaches 10 years of employment during the middle of the year, the tenure bonus will be paid for those 10 years the following December. The tenure bonus periods and amounts are the following:

- Five (5) years of service 50.00
- Ten (10) years of service 100.00
- Fifteen (15) years of service 150.00
- Twenty (20) years of service 200.00
- Twenty-five (25) years of service 250.00
- Thirty (30) years of service 300.00
- Thirty-five (35) years of service 350.00
- Forty (40) years of service 400.00

8. 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:

- Certification or degree must be pre-approved by the City Manager.
- Value must be significant enough to warrant an increase.
- Investment of employee in time and effort must coincide with value of increase.
- Certification or degree must be consistent with the position employee holds with Roosevelt City.
- 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.
- 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.

9. EXERCISE ROOM USE

Any employee who wishes to use Roosevelt City's weight room may do so after signing a Waiver of Responsibility. Immediate family members 16 and over may accompany employee in using the weight room. 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.

10. GOLF/SWIM PURCHASE

Full-time employees may purchase any type of season golf or swim passes at 20% off the regular price for personal use. Passes may be purchased for employee use only.

Roosevelt City Pool Benefits

- Current/ Active seasonal/part-time **employees** that have worked for the Roosevelt City Swimming Pool **for five years or less:**

- Are allowed to swim at the facility free of charge, during any daily activities at the city pool, as long as they are not scheduled to work
 - These activities include:
 - Lap swim both in the morning and in the evening
 - Water Aerobics
 - Adult Swim
 - Only for staff that are 18 years and older
 - Open Swim
 - No employee receives any discount on merchandise (goggles, swim caps, nose plugs etc.)
 - No discounts on pool rentals
- Current/ Active seasonal/part-time employees that have worked for the Roosevelt City Swimming Pool **for six or more CONSECUTIVE years:**
 - Are allowed all of the above mentioned plus:
 - 20% off admission **for your family household** (those that live with you)
 - This includes 20% off:
 - Season family passes, punch passes, monthly pass
 - Swimming lesson/scout merit badge registration
 - DOES NOT include daily admission
 - No employee receives any discount on merchandise (goggles, swim caps, nose plugs etc.)
 - **No discounts on pool rentals**
- All full-time Roosevelt City employees, police officers, and firemen have the benefit of:
 - 20% off admission **for your family household** (those that live with you)
 - 20% off admission is only applicable to 3 month, 6 month, and annual memberships passes of all types, which includes the corporate payroll deduction program, and punch passes.
 - Can only be paid for at the Swimming Pool and must be paid by cash or check only
 - No employee receives any discount on merchandise (goggles, swim caps, nose plugs etc.)
 - **No discounts on pool rentals**

SECTION XI – FAMILY AND MEDICAL LEAVE ACT

1. GENERAL POLICY

Roosevelt City complies with the Family Medical Leave Act (FMLA) of 1993, which protects employee’s jobs and benefits in the event of medical or family circumstances which requires the employee to take time off from work without pay. Family and Medical Leaves are granted as follows:

General Provisions

Under this policy, Roosevelt City will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12-month period to eligible employees. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

Amount of Leave

An eligible employee may take up to 12 weeks for the first five FMLA circumstances above (under heading “Type of Leave Covered”) under this policy during any 12-month period. The Roosevelt City will measure the 12-month period as a rolling 12-month period measured backward from the

date an employee uses any leave under this policy. Each time an employee takes leave, Roosevelt City will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount of time the employee is entitled to take at that time.

An eligible employee can take up to 26 weeks for the FMLA military caregiver leave circumstance above during a single 12-month period. For this military caregiver leave, Roosevelt City will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

If spouses both work for Roosevelt City and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the spouses may only take a combined total of 12 weeks of leave. If spouses both work for Roosevelt City and each wishes to take leave to care for a covered injured or ill service member, the spouses may only take a combined total of 26 weeks of leave.

Employee Status and Benefits during Leave

While an employee is on leave, Roosevelt City will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

Employee Status after Leave

An employee who takes leave under this policy may be asked to provide a fitness for duty (FFD) clearance from the health care provider.

Use of Paid and Unpaid Leave

All paid vacation, personal, and sick leave runs concurrently with FMLA leave.

Disability leave for the birth of a child and for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA.

Certification for the Employee's Serious Health Condition

Roosevelt City will require certification for the employee's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

Certification for the Family Member's Serious Health Condition

Roosevelt City will require certification for the family member's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

Certification of Qualifying Exigency for Military Family Leave

Roosevelt City will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

Certification for Serious Injury or Illness of Covered Service Member for Military Family Leave

Roosevelt City will require certification for the serious injury or illness of the covered service member. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

Recertification

Roosevelt City may request recertification for the serious health condition of the employee or the employee's family member when circumstances have changed significantly, or if the employer receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, Roosevelt City may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with an FMLA absence.

Procedure for Requesting FMLA Leave

All employees requesting FMLA leave must provide the city manager with verbal or written notice of the need for the leave. Within five business days after the employee has provided this notice, the city manager will provide the employee with the DOL Notice of Eligibility and Rights.

When the need for the leave is foreseeable, the employee must provide the employer with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with Roosevelt City's usual and customary notice and procedural requirements for requesting leave.

Designation of FMLA Leave

Within five business days after the employee has submitted the appropriate certification form, the city manager will provide the employee with a written response to the employee's request for FMLA leave.

Intent to Return to Work from FMLA Leave

Roosevelt City may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

2. ELIGIBILITY

To be eligible for benefits under the FMLA, an employee must have been employed by Roosevelt City for at least twelve (12) months. The FMLA's regulations state that these twelve months of employment do not need to be consecutive. In addition to the requirement of twelve (12) months of employment, the employee must have worked at least 1250 hours during the previous twelve consecutive months.

3. LEAVE ENTITLEMENTS

Eligible employees are entitled to 12 work weeks without pay of FMLA leave per year for any of the following reasons:

- Birth of an employee's child.
- Adoption of a child by an employee.
- Placement of a child with the employee for foster care.
- To care for an immediate family member (spouse, child, or parent) with a "serious health condition".

- To take medical leave when the employee is unable to work because of a “serious health condition”.
- If both spouses are employed by Roosevelt City and seek leave to care for a child or a parent with a “serious health condition”, their combined leave is limited to twelve weeks.

4. INTERMITTENT LEAVE

FMLA leave may be taken intermittently whenever it is medically necessary to care for a seriously ill immediate family member (spouse, child, parent), or because the employee is seriously ill and unable to work. Intermittent leave means taking leave in blocks of time or by reducing the normal weekly or daily work schedule.

5. SUBSTITUTION OF OTHER AVAILABLE LEAVE FOR FMLA LEAVE

An employee will be required to substitute any accrued Vacation & Sick Leave as part of the up to twelve week leave provided by FMLA. Thus, the FMLA leave will be paid to the extent an employee has accrued Vacation & Sick Leave and unpaid after the substituted Vacation & Sick Leave is exhausted.

6. SERIOUS HEALTH CONDITION

A “Serious Health Condition” means an illness, injury, impairment, or physical or medical condition that involves one of the following:

Hospital Care

Inpatient care (i.e. an overnight stay) in a hospital, hospice or residential medical care facility including any period of incapacity or subsequent treatment in connection with or consequent to such inpatient care.

Absence Plus Treatment

A period of incapacity of more than three consecutive calendar days (including any subsequent treatment of period of incapacity relating to the same condition), then also involves:

- Treatment two or more times by a health care provider, by a nurse or physician’s assistant under direct supervision of a health care provider, or by a provider of health care services (i.e., physical therapist) under orders of, or on referral by a health care provider; or
- Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider.

Pregnancy

- Any period of incapacity due to pregnancy or for prenatal care.

Chronic Conditions Requiring Treatments

A chronic condition which:

- Requires periodic visits for treatment by a health care provider, or by a nurse or physician’s assistant under direct supervision of a health care provider;
- Continues over an extended period of time (including recurring episodes of a single underlying condition); and
- May cause episodic rather than a continuing period of incapacity (i.e. asthma, diabetes, epilepsy, etc).

Permanent/Long-term Conditions Requiring Supervision

- A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision, but need not be receiving active treatment, of a health care provider. Examples include Alzheimer's, a severe stroke, or terminal stages of disease.

Multiple Treatments (Non Chronic Conditions)

- Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).

"Incapacity", for purposes of the FMLA, is defined to mean inability to work, attend school, or perform other regular daily activities due to the serious health condition, treatment therefore, or recovery there from.

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

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

SECTION XII – LEAVE OF ABSENCE

1. ABSENT WITHOUT LEAVE

Any unauthorized absence of an employee from duty shall be grounds for disciplinary action, up to and including termination.

Any employee who is absent for three (3) 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.

2. VACATION LEAVE

- Only full-time employees are eligible for Vacation Leave.
- Vacation Leave hours will be issued each bi-weekly payroll period on a prorated basis and is based on consecutive employment years. As an example, in your first year as a full time employee you will be issued 1.538 hours every pay period (40 hours divided by 26 pay periods in a year.) Once you enter into your second year of employment the hours issued will go up to 3.384 hours every pay period (88 hours divided by 26 pay periods in a year.)
- Authorization of vacation use will be determined by department heads or immediate supervisor.
- Issuance of Vacation Leave hours will be based on the following tier structure:
 - 1st Year of Employment
 - 40 hours

- 1.538 hours per pay period
 - 2nd – 4th Years of Employment
 - 88 hours
 - 3.384 hours per pay period
 - 5th – 9th Years of Employment
 - 128 hours
 - 4.923 hours per pay period
 - 10th and beyond Years of Employment
 - 168 hours
 - 6.461 hours per pay period
- A maximum of eighty (80) hours may be carried over into the next employment year.
- If a full time employee completes a successful retirement with Roosevelt City, they will be paid out all Vacation Leave hours remaining in the last payroll period they are employed.

Any departmental exemptions to this vacation policy would need to be approved by the City Manager.

3. HOLIDAY LEAVE

Permanent full-time employees 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
- 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.

There will be no carry-over allowed on holiday hours into the next calendar year.

Any departmental exemptions to this holiday policy would need to be approved by the city manager.

4. SICK LEAVE

Purpose. Sick leave shall not be considered as a privilege which an employee may use at their discretion, but shall be allowed only in case of necessity and actual sickness or disability of the employee or his/her immediate family.

Eligibility. Only full-time employees are eligible for sick leave.

Sick Leave Accrual. An employee who starts work between the first (1st) and the fifteenth (15th) of the month will receive credit for that month. An individual who starts work between the sixteenth

(16th) and the last day of the month will earn sick leave time beginning on the first (1st) day of the following month. Employees will be eligible to use sick leave which they have accrued after they have successfully completed the probationary period in the first (1st) year of permanent employment. Individual department heads will issue approval or disapproval on all sick leave requests.

Sick Leave Use. Sick leave may be used at any time with approval of their immediate supervisor or manager for any of the following reasons:

- When the employee is unable to perform their regular duties or other temporary work to which he/she may be assigned.
- Visits to hospitals, clinics, doctors and dentists offices for diagnosis or treatment of illness or injury or examination. The minimum time that may be taken for any of these purposes is one (1) hour, and the maximum is 8 hours on a single day.

Sick Leave Accrual Rate. During the first year of employment an employee will accrue four (4) hours of sick leave per pay period. After the first year of employment an employee will accrue two (2) hours of sick leave per pay period.

Sick Leave Carryover. Carryover of sick leave will be allowed into the next calendar year. Three hundred (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 to coordinate the rollover.

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.

5. 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 ten (10) working days in any one (1) calendar year.

6. JURY LEAVE

All full-time employees 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 he/she is a party.

7. ADMINISTRATIVE LEAVE

Exempt employees who work more than 2,128 hours in a year are granted 48 hours per year of paid leave. Leave must be accrued before use.

8. FUNERAL LEAVE

The city manager or designee shall grant full-time employees up to three (3) days of funeral leave with pay to attend the funeral of the employee's spouse, child, step-child, daughter or son-in-law, parent, step-parent, 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 (3) days shall be the maximum time allowed per occurrence.

9. LACTATION/ BREAST FEEDING

For up to one year after a child's birth, any employee who is breastfeeding her child will be provided reasonable break times as needed to express breast milk for her baby. Roosevelt City has designated a room located at the City Hall offices for this purpose. A refrigerator reserved

for the specific storage of breast milk is available. Any breast milk stored in the refrigerator must be labeled with the name of the employee and the date of expressing the breast milk. Any nonconforming products stored in the refrigerator may be disposed of. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage or refrigeration and tampering. Nursing mothers wishing to use this room must request/reserve the room by contacting the Account Payable Technician at 435-722-5001. Additional rules for use of the room and refrigerator storage are posted in the room. Employees who work off-site or in other locations will be accommodated with a private area as necessary.

Breaks of more than 20 minutes in length will be unpaid, and the employee should indicate this break period on her time record.

SECTION XIII – FIREMAN BENEFITS

Roosevelt City has a volunteer fire department. Roosevelt City provides workers compensation coverage and unemployment compensation coverage. Roosevelt City will compensate each paid on-call fire fighter a bi-weekly wage. Fire fighters will be paid on a bi-weekly payroll basis.

SECTION XIV – OSHA REQUIREMENTS

1. GENERAL POLICY

It is the policy of Roosevelt City to maintain an environment which is free from any recognizable hazard which is likely to cause death or serious injury.

2. POSTING OSHA NOTICES

Roosevelt City will post all required OSHA notices in conspicuous places (such as employee bulletin boards or where similar notices are usually posted). Employees may obtain additional information from the city manager or HR rep when they have questions about any of the standards which are provided under OSHA.

3. INSPECTION PROCEDURES

All employees will follow the procedures listed below in the event inspector(s) from UOSHA present themselves on the job site.

- Employees are not authorized to offer any information requested by an inspector.
- Employees will inform the inspector that the employee will contact the city manager, and their department head or designee who will accompany the inspector during any inspection.
- The city manager 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.
- If the UOSHA inspector does not reveal the appropriate credentials at the outset of the inspection, the city manager or designee should ask the inspector to reveal his/her credentials and should then examine them before allowing an inspection of the job site.
- The city manager or designee may refuse an inspection of the job site where the inspector does not have a warrant to inspect.
- If the inspector's credentials are appropriate and before beginning the inspection, the city manager or designee should ask the inspector the reason the inspection is being conducted. If the inspection is due to an employee complaint, the city manager or designee should request a copy of the complaint.
- The city manager or designee should accompany the inspector during the entire inspection of the job site.
- The city manager or designee should note every comment and observation made by those participating in the inspection but should not volunteer any unsolicited information.

4. ACCIDENT REPORTING PROCEDURES

Employees who are injured in connection with employment, regardless of the severity of the injury, must immediately notify the city manager and their supervisor who will ensure prompt and qualified medical attention is provided and all required UOSHA reports are completed. Employees, who do not and/or will not accept qualified medical attention when directed by the city manager or designee, shall be subject to disciplinary action up to and including termination.

- The city manager or designee will investigate the job related injury to determine its cause.
- The city manager or designee shall contact UOSHA within twelve (12) hours of the occurrence of any job related death, disabling, serious or significant injury, and/or any occupational disease.
- The city manager or designee shall file the required report with UOSHA within seven (7) days after first knowledge or notification of an injury or occupational disease resulting in medical treatment, loss of consciousness, loss of work, restriction of work, or transfer to another job. Minor injuries such as scratches and cuts do not need to be reported to UOSHA if they require only minor first-aid treatment.
- The city manager or designee shall keep a copy of the UOSHA report in its UOSHA file.
- The city manager or designee shall give the employee a copy of the UOSHA report and explain the employee's rights and responsibilities concerning the work related injury or occupational disease.

If an employee later dies as a result of a work related injury, the city manager or designee shall file a report with UOSHA within seven (7) days of first knowledge or notification of the death.

Appendix

FORM – OBSERVED BEHAVIOR – REASONABLE SUSPICION RECORD

_____	_____	_____
Employee Name	Social Security Number	Date of Birth
_____	_____ a.m./p.m.	_____
Location	Observation Time	Observation Date

Reasonable suspicion of current use or impairment by:

- Alcohol Drugs Both

Cause for Suspicion

Appearance

- Normal Flushed Puncture Marks Disheveled Bloodshot Eyes Tremors
 Dilated/Constricted Pupils Profuse Sweating Dry-Mouth Runny
Nose/Sores/Frequent Sniffing
 Inappropriate Wearing of Sunglasses Other:

Behavior: Speech

- Normal Incoherent Slurred Silent Confused Slowed
 Whispering Loud Other:

Behavior: Awareness

- Normal Confused Mood Swing Euphoria Lethargic Disoriented
 Lack of Coordination Aggressive/Violent Paranoid Other:

Motor Skills: Balance

- Normal Swaying Falling Staggering Head bobbing
 Other:

Motor Skills: Walking and Turning

- Normal Swaying Arms raised for balance Stumbling Falling
- Reaching for support Other:

Motor Skills: Other

- Dropping things Lack of Coordination Slowed reaction time

Other Observable Actions of Behavior (Specify):

Check if the following conditions are met, (*test only if both conditions are met*):

- Observations are specific, contemporaneous, and articulable on the appearance, behavior, speech, or body odors of the individual
- For alcohol testing, observations are made during, just preceding, or just after the individual is required to be in compliance (performing safety-sensitive functions) with DOT/FHWA regulations

If unable to test in 2 hours of reasonable suspicion determination, state reasons:

If unable to test within 8 hours of reasonable suspicion determination, cease attempts to test and state reasons:

Supervisor/Company Official's Name	Signature	Date
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Comments and/or corroboration by a second supervisor or Company Official

Supervisor/Company Official's Name	Signature	Date
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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.

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 – APPLICATION FOR FAMILY MEDICAL LEAVE

**ROOSEVELT CITY
APPLICATION FOR FAMILY MEDICAL LEAVE**

Name: _____ Department: _____

Mailing Address: _____

Start Date of Anticipated Leave: _____

Expected Date of Return to Work: _____

Reason for Leave (Explain): _____

Note: A leave request based on an employee’s serious health condition or the serious health condition of an employee’s spouse, child or parent must be accompanied by a verifying medical certification from a physician. You must have your physician fill out the certification prior to taking a FMLA or the commencement of your leave may be delayed until certification is submitted.

Roosevelt City requires that you substitute all accrued vacation and sick leave or other paid time off for unpaid FMLA leave. Payroll will be instructed to exhaust and substitute your accrued vacation and sick leave.

I hereby authorize Roosevelt City to contact my physician to verify the reason for my requested leave or for any other information concerning my requested family medical leave.

I understand that a failure to work at the end of my leave period may be treated as a resignation unless an extension has been agreed upon and approved in writing by Roosevelt City.

Employee Signature: _____ Date: _____

Approved By:

Supervisor: _____ Date: _____

Roosevelt City Payroll Dept.: _____ Date: _____

FORM – APPLICATION FOR FAMILY MEDICAL LEAVE

**ROOSEVELT CITY
APPLICATION FOR FAMILY MEDICAL LEAVE**

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Start Date of Anticipated Leave: _____

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Employee Signature: _____ Date: _____

Approved By:

Supervisor: _____ Date: _____

Roosevelt City Payroll Dept.: _____ Date: _____

FORM – FMLA NOTICE OF LEAVE

ROOSEVELT CITY FMLA NOTICE OF LEAVE

Date

Employee Name and Address

Ref: Requested Leave Of Absence

Employee,

You have indicated that you will require leave beginning **[or you have been absent or on leave from work since] DATE**. This letter is to confirm that you meet the employee eligibility requirements under the Family and Medical Leave Act ("FMLA") and based on the information provided to date, your request for leave beginning *DATE* is provisionally approved as FMLA leave subject to review of your medical certification and compliance with the conditions governing FMLA leave. Enclosed is a "Certification of Health Care Provider" form which must be completed by your health care provider and submitted to Roosevelt City, within 15 days of this letter. The amount of FMLA leave granted will be based on the information provided by you and your health care provider but in no event will exceed 12 weeks **[or less if employee has previously taken leave]**.

I have also enclosed a FMLA Application. Please fill out this form and return it with your Certification of Health Care Provider form. The following conditions apply to any FMLA leave granted by Roosevelt City.

- Consistent with the FMLA, upon return from your leave, Roosevelt City will return you to an equivalent position but does not guarantee that you will be returned to your exact position. **[If an employee in a key position for which reinstatement is required indicate so]**
- If leave is taken for your own serious medical condition or the serious medical condition of a family member, you must provide a medical re-certification every forty-five (45) days.
- Roosevelt City will pay its share of health insurance premiums while you are on leave but you will continue to be responsible for your share of such premiums, if any. You will need to make payment for your share of health insurance premiums, if any, by the ___ of each month.
- Roosevelt City will not pay any portion of premiums due for other employee benefits during your leave. To maintain such benefits while on leave, you will need to make all premium payments to Roosevelt City by the 10th of each month.
- If you do not return to work or you terminate your employment with Roosevelt City within 30 days of your return from FMLA leave (for a reason other than the continuation, recurrence, or onset of a serious health condition or other circumstances beyond your control), Roosevelt City has the right to recover any insurance premiums it paid on your behalf during your period of FMLA leave.
- If you are taking leave for your own serious medical condition, you must provide a fitness for duty certification in order to return to work at the conclusion of your leave.
- Roosevelt City requires that you substitute all accrued vacation and sick leave or other paid time off for unpaid FMLA leave. Payroll will be instructed to exhaust and substitute your accrued vacation and sick leave.
- If your FMLA leave is connected to a work injury, the period for which you are entitled to workers' compensation payments will run contemporaneously with your FMLA leave.

Your failure to comply with the conditions on your leave or to return to work upon conclusion of your leave may result in termination.

If you have any questions, please contact the Roosevelt City Finance Director.

Respectfully,

Finance Director

FORM – FMLA CERTIFICATION OF HEALTH CARE PROVIDER

**ROOSEVELT CITY
FMLA CERTIFICATION OF HEALTH CARE PROVIDER**

1. Employee's Name: _____
2. Patient's Name (If different from employee): _____
3. The attached sheet describes what is meant by a "serious health condition" under the Family Medical Leave Act. Does the patient's condition qualify under any of the categories described? If so, please check the applicable category.
 - Hospital Care
 - Absence plus Treatment
 - Pregnancy
 - Chronic Conditions Requiring Treatments
 - Permanent/Long-term Conditions Requiring Supervision
 - None of the Above

4. Describe the medical facts which support your certification, including a brief statement as to how the medical facts meet the criteria of these categories: _____

5. State the approximate date the condition commenced: _____ and the probable duration of the condition _____ (and also the probable duration of the patient's present incapacity if different): _____

Will it be necessary for the employee to take work only intermittently or to work on a less than full schedule as a result of the condition (including for treatment describe in Item 6 below)? Yes No (If yes, give the probable duration: _____)

If the condition is a chronic condition or pregnancy, state whether the patient is presently incapacitated and the like duration and frequency of episodes of incapacity: _____

1. If additional treatments will be required for the condition, provide an estimate of the probable number of such treatments. _____

2. If the patient will be absent from work or other daily activities because of treatment on an intermittent or part-time basis, also provide an estimate of the probable number and interval between such treatments, actual or estimated dates of treatment if known, and period required for recovery if any: _____

3. If any of these treatments will be provided by another provider (i.e., physical therapist, please state the nature of treatments: _____

4. If a regimen of continuing treatment by the patient is required under your supervision, provide a general description of such regimen (i.e., prescription drugs, physical therapy requiring special equipment): _____

5. If leave is required to care for a family member of the employee with a serious health condition, does the patient require assistance for basic medical or personal needs?
 Yes No

6. If the patient will need care only intermittently or on a part-time basis, please indicate the probable duration of this need: _____

Signature of Health Care Provider

Type of Practice

Address

Telephone Number

FORM – 9/80 WORK SCHEDULE AUTHORIZATION FORM

Employee Name: _____ Employee ID No.: _____
 Department: _____

Step 1- Determine your Regular Day Off (RDO)

Your regular day off shall be an eight (8) hour day and can be scheduled to occur on any day of the week. The RDO must be the same day of the week as your 8-hour day in the preceding and following calendar weeks (circle one):

Mon Tues Wed Thurs Fri

Step 2- Indicate your new 9/80 work schedule

The 9/80 work schedule you select must consist of four (4) nine-hour days and one (1) Regular Day Off (RDO) in one calendar week, and four (4) nine-hour days, and one eight-hour day in the preceding and following calendar weeks.

Week 1 Schedule							
Sun	Mon	Tue	Wed	Thurs	Fri	Sat	Total*
Week 2 Schedule							
Sun	Mon	Tue	Wed	Thurs	Fri	Sat	Total*

*One calendar week must total 36 hours and the other must total 44 hours.

Step 3- Indicate the date you will begin your new 9/80 work schedule and begin using the timeclock.

This date must be a Sunday and the first day of a pay period: _____

Step 4- Determine your new work week:

Your new work week will begin exactly 4 hours after the starting time of your 8-hour day, and end exactly one minute prior to that the following week. For example, if your 8 hour work day is on Friday, and you are scheduled to work 8:00 a.m. to 5:00 p.m., your new work week begins at noon Friday, and ends at 11:59 a.m. the following Friday.

My new work week:

Begins on (day of week) _____ at _____ a.m. / p.m. (circle one)
 Ends on (day of week) _____ at _____ a.m. / p.m. (circle one)

I understand that by signing this form, I agree:

- That I am electing to participate in a 9/80 work schedule;
- To adhere to the work schedule shown above; and
- To abide by the terms and conditions of the 9/80 policy.

Employee Signature: _____ **Date** _____

Supervisor Signature: _____ **Date** _____

Dept. Head Signature: _____ **Date** _____

Human Resources Signature: _____ **Date** _____

**This form must be received in Human Resources at least 14 days prior to the date indicated in step 3. Human resources will forward the signed authorization forms to Payroll for processing.

City Manager Signature: _____ **Date:** _____