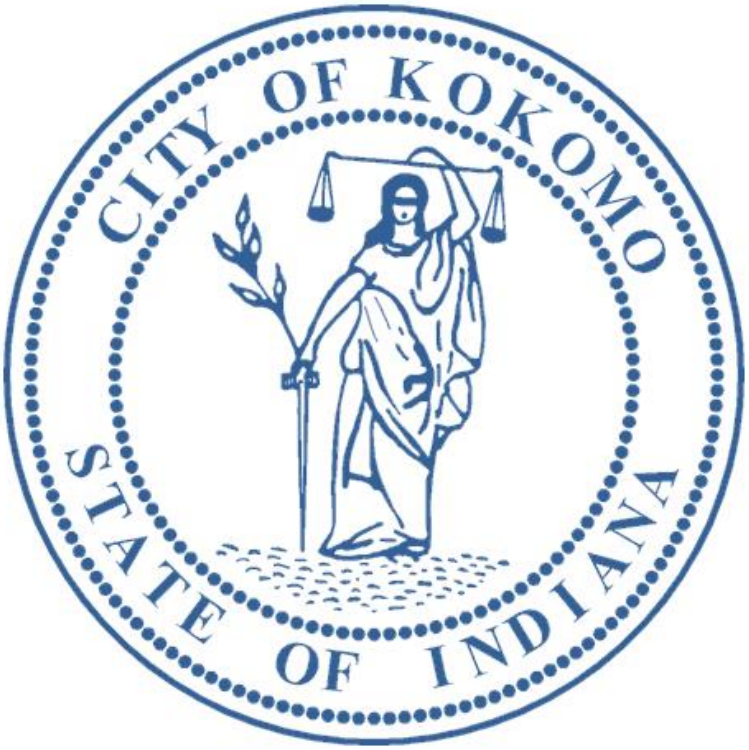

THE CITY OF KOKOMO EMPLOYEE MANUAL

A Manual of Employee Benefits & Personnel Policies

JANUARY 2021
Revised (January 24, 2025)

THE CITY OF KOKOMO

STATEMENT OF PURPOSE:

The City of Kokomo ("City") issues this statement of employee benefits and personnel policies as an understanding of the obligations of the City and its employees to each other and the public. This handbook was prepared to help City employees find the answers to questions they may have regarding their employment with the City. The City does not expect this manual to answer all questions. Human Resources also serves as a major source of information. This compilation of policies and procedures is not a contract between the City and any of its employees. The purpose of this manual is to ensure compliance with existing legislation and regulations concerning employment practices and to provide each City employee with fair, equitable, consistent and uniform treatment under its application. The policies and procedures contained herein supersede effective January 1st, 2021, all previous practices, representations, memoranda, or other descriptions in regard to the policies and procedures contained herein.

Neither this handbook nor any other verbal or written communication by a management representative is, nor, should it be considered to be, an agreement, contract of employment, express or implied, or a promise of treatment in any particular manner in any given situation, nor does it confer any contractual rights whatsoever. The City adheres to the policy of employment at will, which permits the City or the employee to end the employment relationship at any time, for any reason, with or without cause or notice.

The Office of the Mayor is the ultimate source of authority for setting personnel objectives and issuing policy statements. Department heads and other designated supervisory personnel will be responsible for implementing the following policies under the direction of the Mayor. The Mayor has delegated to the Director of Human Resources the responsibility for interpretations; modifications; and/or additions regarding these policies as such need occurs. The procedures set forth in the following policy statement apply to all City employees except where they conflict with specific contractual agreements or other rules and regulations.

Where this handbook conflicts with any Collective Bargaining Agreement, City ordinance, federal, state, and/or local law; the Collective Bargaining Agreement, ordinance and law shall be the prevail for the provision in conflict, but the same shall not affect any other term or condition of this handbook. The City specifically reserves the right to repeal, modify or amend this employee manual and/or policies at any time, with or without notice. Because the law is subject to change, to the extent any policy or procedure herein is contrary to applicable law, the policies and/or procedures shall be deemed amended to comply with applicable law. The City will notify all employees of any changes and/or additions as they occur.

Any violation to any City policy will not be tolerated and will result in appropriate disciplinary action, up to and including termination.

MISSION:

The City of Kokomo constantly strives to improve quality of life, maximize opportunities for social and economic growth, and provide quality municipal services for all residents and visitors through responsible and proactive leadership that utilizes best practices, sustainability and inclusive governance.

VISION:

The City of Kokomo is a community based on strong fiscal government that will continue to embrace change in our world, recognize the rights of all citizens, and provide for the needs of the community by focusing on the safety, stability and health of all citizens.

THREE POINTS OF EMPHASIS:

SAFE: While public safety is obviously a main component regarding the assurance of a safe community, the issue is more encompassing. Working to provide safe streets, sidewalks, and parks, for example, is another vital part of providing a safe environment. When our citizens feel "safe" in their city, Kokomo becomes a better place to live, work and worship.

STABLE: A stable economy is one with an array of opportunities. Efforts to both create and retain jobs to Kokomo take creative thinking, innovative planning and financial discipline to encourage companies to invest and grow in Kokomo.

HEALTHY: Healthy communities have a number of factors to consider. From individual physical and mental health to community-wide social health needs, healthy lifestyles and the resources to assure them must be a priority in building a community that is attractive to current and future residents.

STATEMENT OF POLICY:

General Purpose--These policies are enacted by the City of Kokomo in order to further the following goals:

1. To provide a uniform system of personnel administration throughout the City departments.
2. To ensure that the recruitment, selection, placement, promotion, retention and separation of City employees are based upon specific qualifications and guidelines—while keeping in compliance with federal, state and local laws.
3. To assist the City of Kokomo Administration in the development of sound management practices and procedures and make effective, consistent use of human resources throughout City government.
4. To promote the most effective and respectful communication between directors, foremen and employees.
5. To ensure, protect and clarify the rights and responsibilities of all employees.

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SECTION 1: EMPLOYMENT POLICIES

1-1 EMPLOYMENT AT-WILL POLICY:

Employment with the City is "at-will". This means that an employee may terminate their employment at any time. This also means that the City and/or City employee can terminate an employee's employment at any time, with or without notice or cause.

1-2 RECRUITMENT / HIRING PROCESS:

Applicant: Any person who applies for consideration of employment with the City.
Application Form: The form that is used to document information required and needed for selection of qualified applicants.
Job offer: Official correspondence with the Human Resource department, which extends offers employment for the City.

RECRUITMENT:

1. Recruiting practices are conducted solely on the basis of ability, merit, qualifications and competence, without regard to race, religion, age, marital status, veteran status, sex, national origin, disability, sexual orientation, gender identity, ancestry, familial status, or any other legally protected status.
2. Internal applicants for open positions must notify their department head/foreman and Human Resources in writing of their wish to be considered for a position.
3. Each applicant shall complete and sign an application form prior to being considered as a finalist for any position. Resumes may supplement, but not replace, the City's official application form.
4. If discovered that any applicant/employee supplied false and/or misleading information they will be subject to immediate disqualification for hiring and immediate termination if already hired.
5. Applicants for the Kokomo Fire Department and Kokomo Police Department will follow hiring and recruitment policies established by those departments in conjunction with Human Resources.

HIRING:

1. When a position becomes vacant and prior to any posting or advertisement of the vacancy, the department head shall review the position, the job description and the need for such a position. The department head will review the position with the Director of Human Resources and/or the Mayor and once approved it will be posted and/or advertised.
2. Residency within the City shall not be a condition of initial appointment or continued employment; however, consideration of residency is one factor in initial appointment or hiring. When being considered for a higher-level promotion, preference may also be given to those applicants either living in the city or agreeing to move into the city within 6 months of employment. Applicants who live outside the city limits will ensure that their selection of residence shall not interfere with the daily performance of their duties and responsibilities.
3. Applicants for positions in which the applicant is expected to operate a motor vehicle must be at least 18 years old and be required to present a valid Indiana State driver's license with any necessary endorsements. Driving records of applicants may be checked once employment offer has been accepted. Applicants with poor driving records, as determined by the City, may be disqualified for employment with the City in positions that require driving.

4. Applicants selected for an interview may be interviewed by the department head, designated City employees and/or the Director of Human Resources in order to determine the most qualified for open position.
5. Recommendations from the interviews conducted will be sent to the Director of Human Resource. After reviewing the recommendations, the Director of Human Resources and/or the Mayor may interview each applicant before the final decision is made.
6. The City may administer pre-employment examinations to test the qualifications and ability of applicants, as determined necessary by the City. The City may contract with any competent agency or individual to prepare and/or administer examinations.
7. Offers of employment will be extended only by the Director of Human Resources and/or their designee.
8. After a conditional offer of employment has been made and prior to commencement of employment, the City may require persons selected for employment to successfully pass certain examinations, including but not limited to a drug examination, which may include testing for alcohol and controlled substances, and a background check. The offer of employment shall be considered conditional until the results of all testing is received, reviewed, and confirmed satisfactory in the City's sole discretion.

A candidate may be disqualified from consideration if:

- Found physically unable to perform the duties of the position (and the individual's condition cannot reasonably be accommodated in the workplace)
- The candidate refuses to submit to a medical examination in accordance with requirements for necessary licenses.
- If the exam reveals use of alcohol and/or controlled substances.
- If background check results are negative and/or incomplete information is obtained, the Director of Human Resources with the department head will assess the potential risks and/or liabilities related to the job requirements and determine if applicant should be hired.

1-3 EQUAL EMPLOYMENT OPPORTUNITY POLICY:

The City encourages and welcomes diversity, and recognizes that it is a key competitive advantage. The City embraces and understands that each employee's background and perspective can contribute, support, and help in developing a competitive edge for the City. Respecting each individual and their value is essential to the City and the success that is and has been achieved.

The City has adopted an Equal Employment Opportunity Policy assuring that all employees, applicants, and citizens of our community are provided non-discriminatory practices in all personnel actions. Additionally, this policy assures that all employment opportunities, employee benefits, and employee compensations are equally available to all qualified persons without regard to race, religion, age, marital status, veteran status, sex, national origin, disability, sexual orientation, gender identity, ancestry, familial status, or any other legally protected status.

It is hereby reaffirmed that it is the policy of the City to commit to providing equal employment opportunity in all aspects of the employer-employee relationship – to include recruiting, hiring, training, compensation, disciplinary actions, and any other aspect relative to working terms and conditions - to all qualified individuals, without discrimination because of race, religion, age, marital status, veteran status, sex, national origin, disability, sexual orientation, gender identity, ancestry, familial status, or any other legally protected status.

1-4 AMERICAN DISABILITY ACT & REASONABLE ACCOMMODATION:

The Americans with Disabilities Act (ADA) is a federal law that prohibits employers with 15 or more employees from discriminating against applicants and employees with disabilities. It also requires employers to 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 functions of the position.

The City complies with all applicable laws concerning the employment of individuals with disabilities and acts in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). The City does not discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

When a job applicant with a disability requests accommodation that can be reasonably provided without creating an undue hardship and/or causing a workplace safety risk, they will be given the same consideration for employment as any other applicant.

The City will reasonably accommodate qualified individuals (candidates and employees) with disabilities so that they can perform the essential functions of a job, unless the requested accommodations result in the following:

- A direct threat to the safety and/or well-being of the individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation; or
- An undue hardship to City.

NOTE: Individuals who are currently using illegal drugs are excluded from coverage under the City ADA policy.

The Human Resources department is responsible for implementing this policy, including the resolution of reasonable accommodation, safety, direct threat and undue hardship issues. Contact Director of Human Resources with any questions or requests for accommodation by providing a written description of the situation and the employee's/applicant's needs. The accommodation will be reviewed and employee/applicant will be contacted in order to discuss the accommodation and/or agreement.

1-5 TERMINATION POLICY:

Termination of employment is a part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

- **Resignation:** Voluntary employment termination initiated by an employee
- **Termination:** Involuntary employment termination initiated by the City
- **Layoff:** Involuntary employment termination initiated by City for non-disciplinary reasons
- **PII:** Personally, identifiable information that relates to employees, citizens and City information

1. If an employee wishes to resign, they shall notify the department head and/or Director of Human Resource in writing which shall include the employee's anticipated last work day. To stay in good standing with the City, an employee should try to give at least a two-week notice. If the employee leaves City employment in "good" standing, the employee may be considered for re-employment, in the City's sole discretion.
2. If an employee fails to report to work for three consecutive days without informing management of the planned absence, the City will assume that employee has voluntarily resigned.
3. As to termination, if Human Resources and the department head agree that the termination decision is appropriate; Human Resources will notify the former employee of that decision in

writing by mail. If the former employee disagrees with Human Resources' determination, the former employee may request review by the Mayor by providing to the Mayor a written request for review of the termination decision sent by certified mail within five (5) calendar days of the date the former employees receives Human Resources' determination. The Mayor's review of the discharge decision will be the final decision. Failure of the Mayor to respond to the review of the termination within a seven (7) day period of receiving the discharge shall be deemed as acceptance of the Human Resources' determination.

4. In the case of termination due to resignation, retirement and/or a permanent reduction in the work force, the City employee's accrued vacation pay will be paid on a pro-rata basis. Unused personal time however is not paid upon termination and any vacation and/or personal/sick time used in excess of accrued time will be deducted from the employee's final paycheck.
5. Furthermore, any outstanding financial obligations owed to the City will also be deducted from the employee's final check, which the employee hereby accepts pursuant to their continued employment. If the employee's final check does not sufficiently cover the money owed to the City, the employee will remain liable for that amount.

An exit interview will be conducted between the employee and the Director of Human Resource prior to employee's last day of work. If applicable, the employee's rights concerning continuation of group health benefits will be discussed during this meeting. Parking passes, office keys, company equipment and building passes must be returned at this time, along with all other City property and confidential information. Where permitted by law, the City may withhold from the employee's paycheck the cost of any items that are not returned as required. The City may also take all action deemed appropriate to recover and/or protect its property. The employee will receive explanation of benefit options available upon termination of the employment relationship.

- Except as required by law or by separate agreement, the employee salary and benefits will end on the date of termination.
- Upon resigning from the City, an employee should continue to provide the company with an accurate address for at least one year for tax purposes.
- An employee's physical and electronic access to PII and City information will be blocked immediately.
- Remote and wireless access will also be removed
- All termination steps that are taken will be documented and retained for legal purposes and/or federal or state regulations.

1-6 INTERNAL TRANSFER / PROMOTION POLICY:

The City strives to retain employees through an environment that creates opportunity and encourages advancement. It is the City's goal to allow employees to fully use and develop their skills. When a position becomes available, it will be advertised both internally and externally when possible. Current employees are welcome to apply, as are external candidates. All staffing decisions will be made with the position goals in mind, with the desire to hire the most-qualified individual being paramount.

At times, positions may be filled internally without being posted. This could relate to a business need and/or a planned career progression that includes an employee being assigned new responsibilities. In order to be considered for a transfer or promotion, the employee must complete the Internal Transfer/Promotion Application form and submit it to Human Resources with the employee's department head/foreman's signature. After the interview process is complete, if an employee is selected for the position, the employee will receive documentation and the transition process will begin.

Transfers can be either management and/or employee-initiated. They are determined by business needs and employee qualifications. Employees being considered for transfer will be given the opportunity to provide input; however, an employee should not be approached by management without the knowledge of the employee's department head/foreman, Mayor and/or Director of Human Resources. Transfers will be made in a manner that disrupts ongoing operations as little as possible.

1-7 I-9 IMMIGRATION REFORM POLICY:

The Immigration Reform and Control Act of 1986 (IRCA) requires employers to hire and retain only individuals who are authorized to work in the United States.

To enforce these guidelines, IRCA requires an employer to verify a potential employee's eligibility by completing the Employment Verification Form (Form I-9). By completing the I-9 form, the employer is certifying that it has viewed the documents proving that the potential employee is authorized to live and work in the United States.

All employees are asked to provide original documents verifying their right to work in the United States and to sign a verification form (Form I-9). If an individual cannot verify their right to work within three days of hire, the City must terminate their employment.

1-8 BACKGROUND CHECK:

The City may conduct a background check on job candidates after a contingent offer of employment has been extended. A background check may also be conducted during reassignment and/or promotion of an employee. A third-party administrator and/or other governing agency may be used to conduct the background checks, and all background checks will be compliant with applicable laws, such as the Fair Credit Reporting Act. An applicant and/or designee (i.e. Parent/Guardian) will be required to sign release form in order for background check to be completed.

The information that may be collected includes, but is not limited to:

- Social Security Verification – validates the applicants social security number, date of birth, and former address;
- Criminal background - may not be used as the sole reason for denying employment, unless the information obtained is job-related;
- Employment history – validates past employment, dates of employment, position held – verification will be the last two years employment;
- Education – confirms the applicant's claimed educational institution to include the years attended and the degree/diploma received;
- Credit – history and will be ran for positions that involve the management of funds for the City; or
- Professional and personal references - provides the company with information on the potential employee's work ethic, skills and performance.

Regardless, the City has the right to make the final decision about employing an individual after the background check is complete. Information obtained from the background check process, including information from professional and personal references, will be used by the City only as part of the employment process and will be kept confidential by Human Resources.

1-9 EMPLOYMENT STATUS & ORIENTATION PERIOD POLICY:

For all employees hired by the City, the first 90 days of employment are considered an orientation period and continued employment shall be considered probationary. During this time, the employee will undergo training and orientation as directed by the employee's foreman/department

head. The employee's foreman/department head will also monitor the employee's performance during this time. All new employees will receive a confidential performance evaluation from their foreman/department head at the end of the first thirty (30) days, end of sixty (60) days, and at the end of the orientation period of ninety (90) days. Discharge/transfer may occur at any time during this period at the sole discretion of the City without advance notice and without recourse to the appeal process.

During the first ninety (90) days of employment, the employee is encouraged and expected to ask questions concerning their job responsibilities, and to determine if they are satisfied with the position. If the employee's job performance is found to be unsatisfactory by their supervisor at any time during the first ninety (90) days of employment, the employment will be terminated.

Employees will also serve a probationary period within ***each*** City job they hold during their tenure. If the employee is transferred/promoted, they will serve a new ninety (90) calendar day probationary period upon starting the new position (unless designated otherwise by the Mayor) and may be extended for up to an additional ninety (90) calendar days with approval from the Director of Human Resources. If at the end of the extended probationary period the employee is not performing satisfactorily, termination will occur. All probationary employees are expected to report to work every day and/or for each scheduled shift during their initial probationary period. Unexcused absences during an employee's probationary period may result in disciplinary action, up to and including termination.

1-09.1 Full-Time Employees to Full-Time Employees:

- In the case of a promotion (one full-time position to another full-time position) the employee will not be paid at a lesser rate than currently receiving and will continue to receive holiday pay, vacation and bereavement benefits.
- The initial probationary period will not be returned to the 90% pay rate but will be paid at the 95% of the established salary or current salary (whichever is greater) for the probationary period. After completion of a probationary period, the employee may receive up to 100% of established salary.

1-09.2 1st time hired Full-Time Employee:

- The initial probationary period will be the 90% pay rate for the probationary employee. The employee will be paid at the 95% of the established salary for the remaining of the first year. After completion of the first year of employment, the employee may receive up to 100% of established salary.
- During the probationary time period of ninety (90) calendar days, the employee will not receive holiday pay, vacation and/or bereavement benefits. If a holiday does occur within the first ninety (90) calendar days, the employee may be offered the ability to make the loss time up on other days scheduled to work and/or weekend if possible and approved by the department head.

1-09.3 Part-Time Employee to Full-Time Employee:

- Part time employees promoted to full-time employees will be paid at 90% of the full salary for the initial ninety (90) calendar probationary period. After successful completion of the ninety (90) calendar day probationary period the employee will receive 95% of the full salary for the remaining portion of the year. The employee will receive 100% of the salary upon successful completion of one year. Employees promoted from a part-time to a full-time position will not be eligible for holiday pay, vacation, or bereavement during their ninety (90) calendar day probationary period.

1-10 EMPLOYEE CLASSIFICATIONS:

For Purposes of the City, all City employees fall under the classifications below:

- **Full-Time Employee:** Employees who regularly work at least 40 hours per week

- **Part-Time Employees:** Averages 130 hours/monthly (32-34 hours/weekly). These employees will be offered healthcare benefits, but not entitled to or limited to the following: paid time off, holiday pay, and/or bereavement pay. The eligibility will be determined according with ACA regulations.
- **Permanent Part-Time Employees:** Averages less than 130 hours/monthly (less than 29 hours/weekly). These employees are not entitled to receive healthcare benefits and not entitled to or limited to the following: paid time off, holiday pay, and/or bereavement pay.
- **Seasonal/Temporary Employees:** These employees can only work up but no more than 26 weeks a year. They can however work up to 40 plus hours weekly. Seasonal/temporary do not have set schedules and/or established work hours. They are "at will" employees whom may be released from duty "at-will" and whom are not entitled to any benefits provided by the City to other employees. The rate of pay for a seasonal/temporary employee is assigned specific to that employee and is determined solely by management as they determine appropriate.
- **Probationary Employee:** Employee who is in their first ninety (90) calendar days of employment and/or extended probationary period.

In addition to the above classifications, employees are categorized as either "exempt" or "non-exempt" for purposes of federal and state wage and hour laws. Employees classified as exempt do not receive overtime pay; and are paid on a straight salary basis. The exempt employees are not subject to either increase or reduction regardless of hours worked, and are expected to work a minimum of (40) hours per week. If they are unable to work the (40) hours per week, they must utilize vacation and/or sick time during that period. Exempt employees are expected to work the hours necessary to fulfill their job duties and shall receive holiday pay during their probationary period.

1-11 HOLIDAYS:

The Board of Works will annually approve the schedule for holidays, which will be observed by City employees. Approved scheduled holidays will be posted in all departments prior to the end of the preceding year. All full-time non-contractual employees will be entitled to pay at their regular rate for Holidays provided the following are met:

- They are in pay status (4 hours worked) last scheduled workday before the holiday and (worked 4 hours) the first scheduled workday after the holiday. In order to be in pay status an employee must be actively working 4 hours or on an approved leave of absence with pay, such as vacation or sick leave.
- Non-contractual employees that are required to work a BOW designated holiday may receive holiday pay at regular rate and time and a half for any hours actually worked or, may be given a compensatory day off at time and a half.
- However, a supervisor/foreman or managerial employee assigned to direct a contractual employee during any of the above listed holidays shall receive the Holiday premium delineated within the contract of those employees in which they are directing on a covered holiday**.**
- Anyone working a holiday will be required to have the prior approval of their foreman/department head.

Members of the Kokomo Police Department, Kokomo Fire Department & AFSCME shall receive holiday pay in accordance with the terms of their respective contracts.

1-12 HOURS WORKED:

Absenteeism and tardiness place a burden on both co-workers and the City. The City expects that every employee will be regular and punctual in attendance. This means being in the office/department, ready to work, at the designated time each day. If an employee is unable to

work due to illness or an accident, the employee must promptly notify their foreman/department head. In the event the employee's immediate foreman is unavailable, the employee must speak with the department head. Leaving a message with another staff member and/or on voicemail does not constitute an acceptable notification of absence.

- If an employee does not report for work and the City is not notified of the employee's status, it will be assumed after three (3) consecutive days of absence that the employee has voluntarily resigned, and employee will be removed from the payroll.
- If an employee becomes ill at work or must leave the office for some other reason before the end of the workday, they must inform their foreman and/or department head of the situation.
- In the event of severe weather, the City will remain open for business during regularly scheduled working hours. The employee is expected to report for work in severe weather if it is at all possible to do so safely. In the event the City closes due to weather, the employee's foreman and/or department head will contact the employee. (See also Emergency Action Plan)

The employee will be compensated for authorized absences according to the provisions described in this handbook. Authorized absences beyond the time allowed under this policy and other policies are authorized without compensation.

The designated hours and days of work for each department will be established by the department head with approval from the Mayor and/or Director of Human Resource. Generally speaking, the department hours are currently the following unless otherwise changed:

- City Hall 8:00am – 4:00pm Monday through Friday
- Airport – 8:00am – 6:00pm --7 days a week (closed New Year's Day, Thanksgiving, and Christmas)
- Central Garage 7:00am – 3:30pm Monday thru Friday
- Street/Traffic/Refuse Department -- 7:00am – 3:30pm Monday thru Friday
- WWTP 24-hour operation
- Parks -- 7:00am – 3:30pm Monday thru Friday
- Cemetery – 7:30am – 4:00pm
- Planning Commission 8:00am – 4:00pm Monday through Friday
- Building Codes/Inspections 8:00am – 4:00pm Monday through Friday

Certain offices may need to observe earlier opening hours and/or later closing hours to better serve the public and to contend to weather/seasonal issues. In such instances, employees will be informed as to the departmental policy upon employment and/or as changes occur. All non-contractual employees must work eight (8) hours per day.

1-12.1 Fair Labor Safe Act – FLSA:

Salaried, exempt employees work as few or as many hours as are necessary to get the job done. For this reason, and subject to the exceptions below, the City's policy does not reduce a salaried exempt employee's predetermined compensation for ***any*** partial-day absence (other than intermittent FMLA leave); any partial-week absence occasioned by the City or its operating requirements, including holidays, and partial-week shutdowns; or because of variations in the quality of work performed.

- Deductions from salary may occur in the following circumstances:
- Full-day absences for personal reasons, other than sickness or disability;
- Full-day absences due to the employee's own sickness or injury (including work-related injuries and FMLA-related absences). Such deductions will be made in accordance with the City's paid time off plans federal and state medical leave laws and regulations, and state worker's compensation laws and regulations;

- A penalty imposed for infraction of a safety rule as warranted and determined under these policies, any collective bargaining agreement or applicable laws or regulations.
- Full-day absences for unpaid disciplinary suspensions under the City's disciplinary action policy for infractions of the City's workplace conduct rules; and
- When no work is performed in a work week.
- The City's attendance and disciplinary action policies are applicable to an absence even though the absence may not be one for which a deduction from salary will be taken.
- The City reserves the right to require an employee to utilize paid time off benefits for partial-day absences occasioned by personal reason or the employee's own illness or injury.

The City encourages any exempt employee who believes his salary has been improperly reduced to report the problem immediately to the Human Resources and/or Payroll Manager. Employees are assured that the City is committed to comply, and expects all supervisors and managers to comply, with this policy and not to make improper deductions from salary.
NOTE: The City will reimburse an employee for any improper deduction.

1-13 ELECTRONIC TIMEKEEPING SYSTEM:

The City has implemented an electronic timekeeping system to automate the time and attendance process and the tracking of all absence records (PTO, sick days, vacation, personal, etc.).

Employees utilizing time clocks will be issued ID badges, which will serve as the employee's "electronic signature." Those not using a time clock will clock in and out with their assigned computer. An employee's use of their ID Badge and/or PC implies the employee's knowledge and approval of the time and attendance information, and therefore, misuse may lead to discipline up to and including termination.

This policy applies to all employees of the City (unless specified by contract). Salaried, and non-exempt employees will be required to clock in and out but will still be paid on a salaried basis in accordance with the Fair Labor Standards Act ("FLSA").

An employee is required to "clock in" at the beginning of the employee's work shift, and to "clock out" at the end of the work shift. Under certain circumstances, such as when an employee is attending a training course away from the employee's normal work location, the employee shall clock in/out at the different location and/or be clocked in/out manually by the employee's foreman and/or department head.

Other requirements include:

- An employee should not clock in earlier than 7 minutes before their scheduled starting time. No deviation from these regularly scheduled hours shall occur without the prior consent of the employee's foreman and/or department head.
- An employee clocking in 7 minutes after their scheduled starting time will have such time reduced from their paycheck.
- An employee shall not clock out before the employee's scheduled ending time, unless authorized to do so by the employee's foreman. Employees clocking out prior to the end of their shift shall have such time recorded as leaving early and shall have their pay deducted accordingly.
- Employees who have their foreman's permission are not allowed to clock in or clock out in advance for either themselves and/or any other employee. Time entered in advance can only be entered as benefit hours (i.e. personal, compensatory, vacation, PTO time, etc.). All clocked in and out time entries must be for actual time worked.

If any employee is unable to punch in or out because of a time clock malfunction, it is the employee's responsibility to immediately inform their foreman/department head. In this situation the foreman and/or department head will "manually" clock the employee in or out.

1-14 OFFICIAL TIME:

To ensure consistency of treatment for employees, the data recorded in the electronic time-keeping system shall be considered the "official" record of the workday. Employees will be required to clock in/out each workday, and employees will be required to review and approve their electronic time entries on a weekly basis. Approval of the weekly time entry certifies that the hours are true and accurate. Any disputes over actual hours worked and/or attendance will be resolved by referring to the official electronic timekeeping records.

In addition, but not limited to, the following serious offenses that will be and are subject to disciplinary action up to and including termination:

- Any attempt to tamper with the timekeeping hardware and/or software; or
- Having a "buddy" or another employee other than the employee's foreman/department head clock in/out; or
- Anyone interfering with other employees' use of time clocks and/or computer access shall be subject to disciplinary action, up to and including termination.
- Any employee that enters time that is not actual time worked.

An employee's foreman/department head and/or Director of Human Resources will review the specific details of any timekeeping infraction and develop an appropriate response. Any disagreements with the official time detail record shall be reviewed with the employee's foreman/department head, who may authorize any changes to the electronic timekeeping data.

1-15 PERSONAL BUSINESS:

Personal business will not be permitted on City time without the approval of the employee's foreman/department head and/or their designee. Employees will be expected to request time off in advance to conduct personal business. If an unexpected occurrence arises during working hours that requires the employee's immediate attention, the employee is required to request permission from their foreman/department head before leaving work.

1-16 EMPLOYEE VOLUNTEER SERVICES:

In order to comply with the exception(s) set out at I.C. 35-44-2-4 (ghost employment), it is the policy of the City that an employee of the City, while on City time and with the permission of the department head and/or Director of Human Resources, may voluntarily perform services for non-City entities that do not:

- Establish religion;
- Attempt to influence legislation or governmental policy; or
- Attempt to influence elections to public office.

Employees may also work for the benefit of another governmental entity or an organization that is exempt from federal income taxation under Section 501(c) (3) of the Internal Revenue Code. The department head and/or Director of Human Resource must approve this request in writing. An employee shall not spend more than 90 working days in a calendar year performing such services.

1-17 LUNCHES & BREAKS:

Break: A break is defined as rest period to be taken in the general vicinity of the work area.
Lunch break: uninterrupted, unpaid, break time to allow the employee to eat and relax.

1-17.1 Breaks:

All employees who work at least four (4) hours daily may receive one 15-minute break. Employees who work at least eight (8) hours may receive two 15-minute breaks each day, one during each half of the employee's shift. Breaks are a privilege, and not a benefit.

The employee's foreman/department head will determine and/or approve the time that an employee shall take said break(s) so that they do not disrupt departmental work activity. The location of break(s) shall be taken in locations that will not disrupt City operations and/or give a negative perception to the City and/or entities within the City.

1-17.2 Lunches:

Full-Time Employees - Non-Contractual:

- All full-time non-contractual employees who work more than six (6) hours a day are required to clock out for their designated lunch period.
- All full-time non-contractual employees must take either a thirty (30) minute or sixty (60) minute lunch break that falls approximately in the middle of the shift unless otherwise approved by the foreman/department head.
- Lunch breaks will be scheduled whenever possible so as not to leave any City office unoccupied at any time.
- Lunch break is not a paid benefit and no employee shall receive overtime and/or compensatory time in lieu of their lunch period unless otherwise approved by foreman/department head and/or Director of Human Resource.

Part-time/Seasonal Employees:

- Lunch breaks for part-time and/or seasonal employees may not be necessary depending upon the employee's hours of work and departmental needs.
- If determined that a lunch break is to be taken, the lunch break will be unpaid.

1-17.3 Responsibilities:

Department Heads:

- Give approval of breaks/lunches and determine when breaks/lunches are granted to the employee.
- Shall monitor the activity of employee breaks/lunches and be aware of public perception of both activities at all times.

Individual employee:

- The individual employee must not go over the allotted time allowed for breaks and/or lunches, or take more than the allotted number of breaks established unless otherwise approved by department head/foreman.
- City employees must always be aware of public perception even when on their breaks. i.e. Multiple city vehicles should not be parked in one location when possible, or a large number of employees congregated in one area.

1-18 LEAVING THE FACILITY OTHER THAN FOR WORK RELATED REASONS:

All non-exempt employees leaving their worksite for any personal reason(s) outside of taking an approved break/lunch during the day must clock out when leaving the facility and clock in when returning to the facility, and must notify their immediate foreman/department head of doing so prior to leaving.

SECTION 2: GENERAL POLICIES

2-1 ANTI-DISCRIMINATION POLICY:

City does not discriminate in employment against anyone based on race, color, sex, religion, national origin, age, disability status and/or any other trait that is protected under local, state or federal law. In addition, any kind of discrimination that is based on a protected trait is not allowed or condoned in the workplace. The City is an equal opportunity employer and the City is dedicated to a policy of non-discrimination in all aspects of employment and City business. This policy applies not only to personnel decisions, but also to all aspects of the City.

All employees and citizens will receive the same rights, privileges, and services unless an individual's medical condition poses a direct threat to the health and safety of that person, other persons and/or disrupt the orderly flow of government business and/or service. Upon request, the City will take appropriate steps to provide reasonable accommodation to individuals with disabilities so long as doing so does not cause the City undue hardship.

If an employee/citizen believes they or any other employee/citizen is being subjected to behavior that is not consistent with these policies, the employee is encouraged to, and has a responsibility to, immediately report these matters to the department head and/or Director of Human Resources.

Foreman/department head who become aware of any potential violation of this policy ***must*** report the potential violations to the Director of Human Resources. Failure to report potential violations will result in appropriate discipline, up to and including termination.

No action will be taken against any employee/citizen merely because they report behavior believed to violate this policy. The City will investigate and take appropriate action in regards to all complaints. The City is firm in its commitment to maintaining an environment free of discrimination and inappropriate conduct. The City asks that all respect those around you, co-workers, customers and management alike.

2-2 OVERTIME:

Overtime: Any time worked beyond the established and prescribed usual week of forty (40) hours.
Work week: For purposes of calculating a forty-hour work week, the City work week begins Sunday and ends Saturday.

- The City allows for shifts in excess of eight (8) hours for full time employees. There may be some departments that require longer shifts than eight (8) hour duration. Department heads will communicate these situations with affected employees.
- Any and all overtime will be worked only at the request and/or prior approval of a foreman/department head
- For purposes of calculating overtime, all paid time such as vacation, holiday's, bereavement, shall count toward the calculation of overtime once the employee has achieved 40 hours.
- However, there shall be no pyramiding of benefits or compensation; i.e. premium pays do not count and are not credited as additional hours toward the purpose of computing overtime.
- Overtime must be entered into the electronic timekeeping system and approved by the employee and their foreman; however, overtime can be entered into the electronic time keeping system after it is taken (i.e. if employee works on a Saturday, but, they are not able to access the electronic time keeping system, then the employee's overtime may be entered into the system after the accrual has occurred).

- Where applicable, overtime will be calculated based on the actual hours recorded and credited to the employee, as measured by the electronic time clocks and records. Overtime will be calculated in accordance with the FLSA.
- Non-contractual employees that are required to work a BOW designated holiday may receive holiday pay at regular rate and time and a half for any hours actually worked or, may be given a compensatory day off at time and a half.

2-3 COMPENSATORY TIME:

Compensatory time (Comp Time): Time off granted to an employee in compensation for hours worked in addition to the employee's regularly scheduled work day. not to include holiday, vacation, and/or sick leave.

Non-exempt employees may earn compensatory time in lieu of payment for the following but not limited to:

- Accrual compensatory time at the rate of 1-1/2 hours for each hour of work for which overtime compensation is otherwise required;
- Compensatory time will not be accrued until an employee has worked forty (40) hours in a designated work week;
- Compensatory time will not count as time worked towards a 40-hour maximum as established by FLSA.
- Accrual compensatory time must be entered and/or approved in advance by the employee's foreman/department head;
- Where the employee has not accrued compensatory time in excess of the limit applicable to the employee. No more than 45-hour limit of compensatory time shall be accumulated at any time, which calculates to 30 hours of actual overtime worked.
- Employees are required to use compensatory time prior to using other leave. If compensatory time is not used prior to the end of the year, compensatory time will not be carried over from one year to the next year. If an employee fails to use their compensatory time, then the City reserves the right to schedule the employee for time off from work until the compensatory time has been used.
- Where such Comp Time is less than the desired time off (i.e. employee has 6.3 hours of Comp Time available to cover a full day's absence), the employee shall use the majority of the Comp Time available in conjunction with other earned benefits (Vacation, Banked PTO, etc.) in order to accumulate his/her eight (8) hours for the day of absence.
- Non-contractual employees called in to work (after their regularly scheduled shift) for time not in conjunction with their regular shift will receive a minimum of three (3) hours of overtime pay.
- Non-contractual employees that are required to work a BOW designated holiday may receive holiday pay at regular rate and time and a half for any hours actually worked or, may be given a compensatory day off at time and a half.
- Foremen who are called in for overtime may be compensated for time beyond the established and prescribed usual week of forty (40) hours or shift of eight (8) hours. If a foreman is called but does not have to come to a work site, this shall not constitute an overtime situation.

2-3.1 RESPONSIBILITIES:

Department Heads:

- Foreman/department head(s) shall approve overtime and/or compensatory requests prior to the employees working or taking such time. It shall be the responsibility of the department

head/foreman to determine whether overtime or compensatory time is granted to the employee when compensatory time is requested in lieu of overtime.

- Each department head shall be responsible for notifying the city controller if overtime payments are expected to exceed approved budgets prior to exceeding the established budgets.
- Department head/foreman(s) shall ensure that all overtime and compensatory time earned and used is recorded as it occurs.
- Department heads/foreman(s) will exercise conservative discretion in the utilization of overtime within their departments. Overtime shall be considered necessary only in emergency situations, in which additional effort is needed to complete a task which is critical in nature.
- The scheduling and approval of compensatory time off will be at the discretion of the department head/foreman(s). Compensatory time off must be taken during the calendar year in which it was earned.

NOTE: However, foreman assigned to direct a contractual employee during any of the approved holidays shall receive the Holiday premium delineated within the contract of those employees in which they are directing on a covered holiday. Anyone working a holiday will be required to have the prior approval of their foreman/department head.

2-4 ID BADGE:

If an employee loses their ID badge, they must immediately report the lost badge to their foreman/department head. IT will also need to be alerted in order to deactivate the badge and possibly issue a new badge if old badge cannot be located. An employee who has lost or forgotten their badge must have their direct foreman/department head clock them in or out. Excessive forgetting or loss of badge may be cause for disciplinary action.

If an employee's ID badge becomes damaged and/or cannot be read by the electronic time clock or reader, the employee must immediately inform their supervisor and must turn in the damaged badge to obtain a replacement. Until the employee's new badge arrives, the employee will be "manually" clocked in by the supervisor/department head.

The City will provide the employee with one ID badge free of charge. The City will charge the employee $5.00 for ID badge that needs to be replaced for the following but not limited to:

- Each damaged ID badge when it is determined by Human Resources that the damage is a result of abusive practices.
- If an employee loses a badge
- If the employee is terminated and/or resigns from position with the City and badge has not been returned.

NOTE: Excessive incidents of damage of the ID badge may be cause for disciplinary action.

2-5 MISCELLANEOUS EXPENSE REIMBURSEMENT POLICY:

The City adopts the following policy regarding the preapproval of miscellaneous expenses that are and will be reimbursed under the following guidelines:

- Must ensure that expenses are economical, efficient and effective to avoid the City incurring unnecessary expenses.
- Miscellaneous expenses must be submitted within 1 week of being incurred
- Controller's office will pay out within 4 weeks of receipt of an expense report
- Department heads and/or Controller's Office (pre-approvers) are required to be diligent in the expense review.
- A receipt that identifies the expense and proves payment is required when requesting reimbursement. A credit card statement is not an acceptable proof of purchase.

- Expenses are subject to regular internal and external audits. Therefor compliance with all rules, policies and procedures is essential and failure may result in reimbursement being delayed and/or declined.

2-6 TRAVEL EXPENSE REIMBURSEMENT POLICY:

Act: The Fair Labor Standards Act, as amended.
Department Head: The highest-ranking member in each respective department of the City as defined by ordinance, hierarchal structure or as determined by the Mayor
Employee: An individual directly employed by the City
Exempt Employee: An Employee not entitled to overtime compensation as defined in the Fair Labor Standards Act.
Non-Exempt Employee: An Employee entitled to overtime compensation as defined in the Fair Labor Standards Act.

2.6-1 Travel Approval:

The City adopts the following policy regarding the preapproval of City sponsored travel, payment of per diem to employees traveling on approved City business and the reimbursement of approved travel expenses.

- Employees seeking reimbursement for travel expenses should make every effort to incur the lowest possible travel expenses and should exercise sound judgment in avoiding any appearance of impropriety as it relates to City sponsored travel.
- Employees are encouraged to share rooms on overnight travel, as well as share transportation when applicable to lower the cost of travel expenses.
- All Employees must receive preapproval of the employee's respective department head for all travel for which the employee will seek reimbursement from the City. If preapproval is granted by the department head such request for travel shall be forwarded to the Director of Human Resources for final preapproval.
- Both the department head and the Director of Human Resource must approve and sign an "Authorization for Travel" form prior to travel. Failure to obtain preapproval may result in the City's denial of reimbursement for travel expenses.
- In addition to receiving approval before proposed travel, all employees who seek reimbursement for such travel must, prior to the approval of any reimbursement for travel expenses incurred, meet all requirements of the attached "Travel Reimbursement Check List".

2.6-2 Compensation for City Approved Travel:

- An exempt employee, as defined by the Act, is not entitled to additional compensation for any travel time incurred as a result of their participation in a City approved trip. This includes travel on weekends, holidays and travel after normal business hours. The Department of Human Resources will determine who is an exempt employee as defined by the Act.
- Non-exempt employees, as defined by the Act, will be compensated for time participating in City approved travel as determined below:
    - If a non-exempt employee incurs compensable time in excess of forty (40) hours per week as a result of their participation in City approved travel, the non-exempt employee will be compensated for that time at a rate of time and a half (1.5) times the non-exempt employee's normal hourly rate.
    - Time spent in ordinary home-to-work travel by a non-exempt employee, whether they work at a fixed location or at different job sites, typically does not count as time worked and is not subject to this policy.
- The City shall determine additional hours worked in the following ways:

- Same day travel: non-exempt employee required to travel on City approved business that begins and ends on the same day will be compensated for any time spent traveling.
- Overnight travel:
  - Non-exempt employees required to travel on City approved business that necessitates an overnight stay will be compensated for time spent traveling to and from an approved destination if the travel occurs during the non-exempt employee's regular working hours.

- Non-exempt employee will be compensated for time spent traveling to and from an approved destination if the travel occurs during hours on non-workdays that correspond to the non-exempt employee's regular working hours.
- Non-exempt employee is not entitled to compensation for time spent traveling to and from an approved destination if the travel occurs during hours on non-workdays that does not correspond to the non-exempt employee's regular working hours unless the non-exempt employee drives them self to the destination. For example, a non-exempt employee with normal working hours of 8 a.m. to 4 p.m. Monday through Friday leaves for an overnight trip at 3 p.m. on Sunday and arrives at the destination at 8 p.m. on Sunday. Such non-exempt employee would be entitled to one additional hour of compensable time if they were traveling as a passenger. In comparison, if the same Non-Exempt Employee left at 1 p.m. on Sunday and arrived at their destination at 6 p.m. on Sunday, such non-exempt employee would be entitled to three additional hours of compensable time if they traveled as a passenger. However, a non-exempt employee with the same regular hours who left at 3 p.m., arrived at 8 p.m. and drove themselves to the destination would be entitled to five hours of compensable time
- Public Safety Employees Governed by Non-Standard Work Schedules:
  - Non-exempt employees, such as public safety employees, who are subject to an alternative work schedule (i.e., scheduled shifts exceeding 8 hours in length) shall be compensated for hours worked in excess of their normal shift based on a twenty-eight (28) day period as prescribed in the Act.
  - A non-exempt employee who falls in this category who participates in City sponsored travel and exceeds either 212 hours (fire protection) or 171 hours (law enforcement) of compensable time within a twenty-eight (28) day period shall be compensated for that time at a rate of time and a half (1.5) times the non-exempt employee's normal hourly rate.
  - For example, a non-exempt employee normally works varying 24-hour shifts such that his/her total hours per a 28-day period equals 212 hours. In addition to the normal scheduled shift the Non-Exempt Employee attends training on behalf of the City which requires two hours of compensable travel time and one hour of class. Such individual would be entitled to an additional three hours of compensable time at one and one half (1.5) times their normal hourly rate. However, if a non-exempt employee falling under this section attends the same training and such attendance results in their inability to complete their regular shift the three hours of training and travel would be compensable at the normal hourly rate of pay.
- Lodging Reimbursement: An employee may claim lodging reimbursement for expenses incurred as a result of City approved travel. Such reimbursement shall be in accordance with this policy and subject to the approval process defined herein.
  - The Director of Human Resource and/or their designee shall approve all hotel accommodations that are subject to reimbursement by the City. The Director of Human Resource shall consider the location of the accommodations with respect to any

meeting/training that the employee attended, the price of the accommodations as well as safety and habitability of the accommodations.

- All Employees are encouraged to seek accommodations which offer reasonable government rates and/or other similar reduced rates. If, in the sole discretion of the Director of Human Resources and/or their designee, the employee has not made a good faith effort to secure accommodations at a reduced or reasonable rate, then the City may deny full reimbursement to the employee.
- An employee may claim lodging reimbursement for travel conducted on Saturday, Sunday or holidays if such arrangements are necessary to accommodate early or late morning meetings and/or to reduce the cost of travel. The need to accommodate such meetings and/or the savings received shall be documented and provided to the Director of Human Resources for approval.
- Lodging reimbursement may not be claimed if the employee uses PTO, comp time, vacation, and/or personal time for that particular day.
- If an employee is attending a required seminar that is two (2) or more consecutive days and such seminar is being held within the State of Indiana, the employee may be eligible for preapproved overnight room reimbursement. Such approval will only be considered if due to the start or end time of the seminar or the distance that must be traveled to attend the seminar, it is necessary to obtain lodging. An employee may be pre-approved for overnight room reimbursement for one (1) night preceding the seminar and one (1) night at the conclusion of the seminar as well as any nights which run concurrent to the seminar. Any additional lodging will be the sole responsibility of the employee.
- Charges for reservations guaranteed but not used will be reimbursed to the employee only if the failure to use the reservation was due to reasons that are determined, in the sole discretion of the City, to be beyond the employee's control.
- An employee traveling on behalf of the City may claim reimbursement for actual lodging expenses not exceeding the single occupancy room charge, including taxes, for overnight stays only. No additional room charges will be considered for reimbursement to the employee.
- The reimbursement rates listed below are the maximum amounts that the City will reimburse an employee for meals. An employee traveling on behalf of the City is entitled to a subsistence allowance not to exceed the amount as provided below:

	IN-STATE	OUT-OF-STATE
Departure before 12PM	$41.00	$52.00
Departure between 12PM – 4:30PM	$20.50	$26.00
Departure after 4:30PM	NONE	NONE
Return before 12PM	$20.50	$26.00
Return after 12PM	$41.00	$52.00
For travel that begins and ends on the same day, subsistence shall be claimed as set forth below		
Not in travel status at least 12 hours	NONE	NONE
In travel status at least 12 hours Departure before 6AM	$10.25 or $20.50	$13.00 or $26.00

(Breakfast/lunch and/or dinner)		
Return after 6PM entitles a traveler to breakfast and dinner	$30.75	$39.00
Employee's time at work, not in travel status, combined with time spent traveling, all in one day is equal to at least 12 hours shall be reimbursed for breakfast or dinner or both depending on the time of day s listed above. No subsistence reimbursement for travel segments that are less than 12 hours.		

- If a meal is provided, no subsistence shall be claimed for that meal and is to be deducted from the established allowance as follows:

	IN-STATE	OUT-OF-STATE
BREAKFAST	$10.25	$13.00
LUNCH	$10.25	$13.00
DINNER	$20.50	$26.00

- The City will not pay for an employee's meal more than once. This includes, but is not limited to, meals included in registration fees and/or by hotels in the room charge. If an employee traveling on City business received a meal without charge, then the subsistence allowance must be reduced. However, no deductions from subsistence shall be taken for continental breakfasts and/or meals served on airplanes.

Employee will not be reimbursed for the use of a rental car unless the use of the vehicle is work related and is deemed necessary for the trip and preapproved by the department head and Director of Human Resources. If the reimbursement of a rental car is preapproved, only an economy class rental car is reimbursable.

Charges for changes in flights due to a personal decision of an employee are the responsibility of the employee. Employees must retain and submit to the City, travel vouchers and boarding passes that include departure and return times in order to be processed for reimbursement.

Reimbursement for use of private automobiles will be paid at the established State of Indiana mileage reimbursement rate.

- Mileage will be based upon Map Quest, and/or Google Maps calculation, or an equivalent program, to determine mileage unless extenuating circumstances apply. At no time will a deviation of more than ten (10) percent of the total mileage, as calculated by MapQuest or its equivalent, be allowed for reimbursement to the Employee for miles driven.
- All charges for auto mileage must be fully explained in the expense report by showing miles traveled and routes covered. Reimbursement will be made for parking and tolls when such expenses are documented with original receipts as provided in this policy.

2-6.3 Receipts and Records:

An employee requesting reimbursement for expenses incurred while traveling on City approved business must include an original paid receipt when submitting a claim for reimbursement. An original receipt may not be modified in any way. The receipt must indicate the amount paid, the purpose of payment, name of the vendor being paid and give a payment date. If in the event an employee is not able to obtain a receipt or the receipt is lost or otherwise destroyed the employee may provide the same information above to the Director of Human Resources and/or their designee, for consideration of approval of reimbursement.

Cash advances for travel expenses must be preapproved by the Director of Human Resources. Otherwise, reimbursement of expenses will be paid at the completion of the training

course and/or seminar and only after proof of attendance has been submitted to and approved by the Director of Human Resources and/or their designee. All requests for reimbursement of travel expenses must be provided to the City within thirty (30) days from the date incurred or the employee may be denied reimbursement.

The City reserves the right to recover any reimbursement and/or other travel expenses that were erroneously paid for any reason. This includes but not limited to payment due to fraud on behalf of any person and/or entity or because payment was wrongfully made due to mistake on behalf of the City.

2-7 EDUCATIONAL ASSISTANCE PROGRAM POLICY:

It is the policy of the City to facilitate the professional development and educational certification of its employees. The cost of all reimbursable education for staff development that is within the scope of the employee's current position shall be approved prior to enrollment. Approval of educational assistance will be dependent upon each department head's and/or foreman's ability to budget the cost of educational reimbursement for their employees.

2-7.1 Guidelines for Participants:

- A written request for educational assistance must be submitted to and approved by the employee's immediate foreman and then department head prior to the start of the course and must specifically set forth each and every course for which the employee is seeking educational reimbursement.
- If approved, the department head shall initial the request and provide the original request to the Human Resource Department for final approval. If an employee registers, before receiving approval, they do so with no assurance that reimbursement will be approved.
- An approved written request does not ensure approval for course changes or additional courses in which the employee might enroll. The employee must submit a revised written request for any subject changes/additions. Written request reflecting subject changes/additions should indicate REVISED at the top of the request.
- Only courses which are approved, started, and completed while the applicant is an employee of the City will qualify for reimbursement.
- It does not cover expenses underwritten by other forms of financial aid, including scholarships, fellowships, the G.I. Bill, etc. Only expenses not covered by other sources of financial aid are eligible for reimbursement.
- Class schedules shall be cleared with the foreman/department head to ensure minimal conflict between working hours and academic instruction. Employees will not be paid for hours spent in school and/or on continuing education. Employees must still work their full-time hours as scheduled.
- Approval of courses unrelated to the employee's job that are necessary to fulfill pre-requisites or degree requirements may qualify for assistance from the City. Additionally, the courses must be approved by the department head/foreman and/or Director of Human Resources, and the department must have available funds in the current budget.
- Approval of a specific course for an employee does not set the precedent that all future requests for that course by other employees would be approved. Each request will be judged on its own merit.

2-7.2 Reimbursement:

The following reimbursement schedule applies:

- A refund of 100% of the tuition cost and/or laboratory fees will be granted for employees attainting a grade of "A" or "B" or their equivalent

- A refund of 75% of the tuition cost, and/or laboratory fees will be granted for employees attainting a grade of "C" or its equivalent.
- A grade of "D" or "F" or their equivalent is not considered satisfactory completion and does not qualify for any reimbursement.
- No refund/reimbursement will be given for any classes that are dropped and/or not completed.
- Reimbursement for any approved tuition and/or laboratory fees will not occur until you have successfully completed the course and provided documentation verifying said completion to the Human Resource Department.

Costs not reimbursable through the Educational Assistance Program include, but are not limited to:

- Registration fees, books, calculators, computers;
- College entrance exams or graduate record exam fees;
- Activity, athletic, or insurance fees, unless they are nondiscretionary and included automatically for any student;
- Paper, pencils, paints, miscellaneous class supplies, etc.;
- Transcript charges, graduation fees, parking fees, proctor fees, late fees, course practice fees;
- Physical examination;
- Mileage to and from school.

Following completion of a course, the employee will provide his/her Department Head documentation indicating the grade(s) received, along with all receipts verifying proof of tuition costs, registration fees and laboratory fees. This documentation must clearly show that payment was made directly by the employee.

The Employee must stay employed with the City for a 36-month period after completion of the last individual class. Failure to do so may result in the employee repaying the City any monies previously reimbursed during the past 36-month period. This provision does not apply if the employee is terminated, and/or not retained due to the change of administration.

2-8 TAKE HOME VEHICLE POLICY:

The scope of this policy is to establish rules pertaining to issuance and personal use of a city-owned vehicle. This policy applies to all the City employees (except Police and Fire) with an assigned city vehicle. In an effort to reduce expenses, any employee that has a city vehicle that is driven to and from home and/or work may have the following amount deducted from their payroll:

Live within the City boundaries	$15.00 per week
Live in Howard County but outside of the City boundaries	$20.00 per week
Outside Howard County – where approved as indicated herein	$25.00 per week

This deduction will be put into the appropriate fund to help the City offset the rising costs of fuel. If you choose to give up your city vehicle you will not be charged the above fees.

Only employees who are required to be available for call-out duty that may require that employee to use a city owned/leased vehicle in the performance of their duty will be issued a take home vehicle. This does not include employees who may be required to be called in to their work area as part of their responsibilities. Employees who may be required to arrive at work sites away from their normal workstations may be issued city owned/leased vehicles with the approval of their department head.

The City recognizes that certain employees, because of their job requirements, will have an assigned city vehicle to be used solely for city business and commuting to and from work. This use may include diminutive use when in the course of city business, is necessary. Employees may use city vehicles in the course of daily driving when deemed necessary to be on standby. When utilization of city owned/leased vehicles are used for this business, city employees are taxed at a

rate established by the IRS. Personal use of a city vehicle is strictly prohibited without prior written permission from Director of Human Resource and/or Mayor. In emergency situations, such as serious illness and/or a medical emergency, the authorized employee may designate an unauthorized operator to use the vehicle strictly on an emergency-only basis.

- City owned vehicles shall not be taken outside of Howard County, even for breaks and lunches without the preapproved permission of the department head, Director of Human Resources and/or Mayor; or
- City owned vehicles are not to be utilized as the employee's sole personal vehicle; or
- City owned vehicles are not to be operated by members of the city employee's family and/or friends; or
- Exempted employee may have their privilege revoked at any time, without advanced notice, by the department head, Director of Human Resources and/or Mayor.

Motor Vehicle Records (MVRs) will be requested at least once per year from the employee who is assigned a city leased/owned vehicle. Management reserves the right to use its discretion in determining an unsatisfactory MVR. Any city employee convicted of any two or more moving traffic violations in the course of a calendar year may be prohibited from driving any city owned/leased vehicle at any time.

- Acceptable standards according to our insurance company are as follows:
  - Employee with up to one (1) minor traffic violations in any one year; or
  - Employees with up to two (2) minor traffic violations in a two-year period and subject to review of the type of violation(s) and additional facts surrounding the incident(s) incurred; or
  - Employees who meet the above referenced criteria with no more than one (1) at fault accident in a two-year period.
- Unacceptable standards: any employee or prospective employee with any of the major violations as referenced below and may have the use of City owned/leased vehicle revoked:
  - DWI (driving while intoxicated)
  - DUI (driving under the influence)
  - Operating a vehicle during a period of suspension or revocation
  - Excessive speeding (25 mph over the posted speed limit)
  - Leaving the scene of an accident
  - Reckless or careless driving
  - Aggravated assault with a motor vehicle
  - Passing a school bus or disregarding an emergency vehicle
  - Failure to report or make a false report of an accident
  - Negligent homicide or operating a motor vehicle for a felony

The City reserves the right to conduct initial and/or periodic random drug and alcohol testing as a condition of driving a city owned/leased vehicle. Testing will be conducted by a licensed medical facility designated by the city. Any positive results will be grounds for discipline up to and including termination. In addition, should the circumstances so dictate, the employee will be prohibited from operating any city vehicle at any time until the legal proceedings on such charges are concluded.

2-8.1 Reporting Requirements:

- Accidents and/or violations must be reported to Human Resources within 24 hours of said accident/violation in either a city owned/eased vehicle and/or personal vehicle while on city business.
- If the operator of a take home vehicle is found to be responsible for an accident, and an investigation indicates that at the time of the accident the employee was not engaged in city

related business, the City reserves the right to charge the amount of the collision deductible against the employee.

- Should the City be self-insured on the vehicle, the amount of deductible charged to the employee is as follows unless otherwise determined:
    - The amount of the deductible will be the amount of the deductible will be $5,000.00 for an "at-fault" driving incident resulting in damages and as determined by a qualified officer's investigation report.
    - The amount of the deductible will be $2,500.00 for a "not-at-fault" driving incident resulting in damages and as determined by a qualified officer's investigation report

The City reserves the right to seek restitution from any city employee for any damages the City may have to pay as a result of accidents occurring while a city owned/leased vehicle is being operated in violation of this policy, or in violation of the law of the State of Indiana.

Should suspension of the privilege of driving a city owned/leased vehicle result in the employee's inability to perform their assigned duties, the employee may be subject to reassignment and/or discipline up to and including termination.

To retain the safety and integrity of the city vehicle, the city will conduct routine motor vehicle maintenance according to manufacturer specifications. Employees are required to conduct a visual pre-trip vehicle inspection, which includes tires, windshield wipers, brakes, mirrors and lights, and report any needed repairs to their foreman/department head immediately.

2-9 GUIDELINES FOR USE OF PERSONAL VEHICLES:

Employees who use their personal vehicles for work-related activities on behalf of the City are reimbursed for that use at a rate per mile driven set by State of Indiana regulations. Employees seeking reimbursement must submit expense reports to their foreman/department head requesting reimbursement and providing appropriate documentation.

Each employee using their personal vehicle to conduct City business is required by state law to carry liability insurance. The City's liability insurance covers only claims against the City and it does not cover employees or employee's personal vehicle when employees are using personal vehicles to conduct City business.

In the event employees are injured as a result of an accident while using a personal vehicle to conduct City business, employees may be entitled to certain worker's compensation benefits, depending on the circumstances and state worker's compensation.

2-10 DRIVER'S LICENSE:

Any City employee who, as part of their employment duties, is required to operate a motor vehicle owned/leased by the City, shall maintain a current and valid Indiana Driver's License with the proper endorsements as a condition of employment.

All new employees who will be assigned work entailing the operating of a City vehicle will be required to submit to a Department of Motor Vehicles driving records check as a condition of employment. Such checks shall be processed by the Human Resource Department. A report indicating a suspended, revoked, or restricted license status may be cause to deny or terminate employment.

Periodic checks of employee's drivers' license through visual and formal Department of Motor Vehicle review checks shall be made by the Human Resources Department. Any employee who does not hold a valid driver's license will not be allowed to operate a City vehicle until such time as they obtain a valid license. Failure to maintain a valid driver's license may result in disciplinary action up to and including demotion and/or termination. Employees may be given a period of up to sixty (60) days to obtain a valid driver's license.

Any employee performing work which requires the operation of a City vehicle must notify their immediate foreman/department head in those cases where their license is expired, suspended, revoked and/or restricted and who is unable to obtain required endorsements from the Department of Motor Vehicles. If an employee fails to report such an instance, they are subject to disciplinary action, up to and including demotion/termination. An employee who fails to immediately report a change in driver's license status to their foreman/department head and continues to operate a City vehicle shall be subject to possible termination.

2-11 VEHICLE MAINTENANCE POLICY:

The purpose of this policy is to ensure proper care and use of any vehicle or equipment utilized by the employees of the City, listed in fleet management.

Foreman/Department Head Responsibilities:

- **Vehicle Training:** Employees operating special purpose vehicles (special purpose vehicles are any vehicle designed for a specific purpose and are dissimilar from cars and trucks employees would normally be expected to drive as personal vehicles) must receive basic familiarization training by a qualified instructor prior to being allowed to operate the vehicle. Examples of special purpose vehicles would be street sweepers, loaders, forklifts, riding lawn mowers, tractors, backhoes, lift trucks, refuse packers, fire trucks, and trailer towing (this list is not all inclusive). Training should include, as a minimum vehicle: service checks, operator maintenance, and the operation of all controls and devices. Training will be documented as determined by the department head of the employee's department and as required by governing agencies; i.e. OSHA.
- **Seat Belt Usage:** All employees must comply with state law for seat belt use. Employees are encouraged to wear seat belts even when the state law does not require it.
- **Checklists:** Employees must complete a visual inspection to ensure the vehicle is safe and in good condition prior to operation. Foreman/department heads must ensure that inspections and checklists are being completed in the required time and records kept for audit purposes. The vehicle operator has the primary responsibility of ensuring their assigned vehicle is properly maintained.
- The vehicle operator must perform a visual inspection to ensure the vehicle is safe and in good condition prior to operation. These checks must be performed each day for each vehicle used. The following items listed but not limited to must be checked and a check list must be maintained within each department:
  - **Damage:** The driver must ensure any damage to the vehicle is reported. This damage may include dents, scratches, broken glass, broken lights, and damage to the interior.
  - **Fluid leaks:** Prior to moving a vehicle, an operator may notice an accumulation of fluid due to minor leaks. The operator should note the location and type of fluid.
  - **Fluid levels:** The driver must check fuel, engine oil, coolant, windshield washer fluid, hydraulic fluid, etc. All fluids must be immediately restored to their proper levels.
  - **Fueling:** Prior to fueling vehicle of the proper fuel type, accurate mileage (or hours) must be entered into to the fuel kiosk. Whole numbers (i.e.: no "tenths") must be entered. If unsure of whether the vehicle is tracked via mileage or hours, Central Equipment should be contacted to advise.
  - **Oil change:** The operator must also verify their current mileage (hours) against the service sticker on the vehicle windshield to ensure the vehicle is not overdue an oil change. If the service sticker is obscured or missing, call Central Equipment for a replacement sticker.
  - **Horn:** The driver should ensure the horn works. In addition, if the vehicle is equipped with a backup alarm, it should also be checked.

- **Greasing and lubrication:** The driver should grease and properly lubricate all pins, bushings, bearings, slides, rods, pivot points, and other wear items, at factory recommended intervals, as outlined in the operator's manual
- **Tire inflation:** The driver should ensure all tires are inflated prior to moving the vehicle. Any tire with questionable inflation must be checked with a tire gauge.
- **Lights:** The driver should ensure all lights work to include parking lights, headlights (low and high beam), brake lights, and clearance lights (if equipped). Additionally, operators of emergency vehicles (KPD/KFD) must ensure all emergency lights and warning devices work.
- **Instrumentation:** The operator must monitor all instrument readings for indications of malfunctions.
- **Brakes:** The brake pedal should be inspected for free travel. Check for any abnormal braking action. Inspect parking brakes operation also. Defects must be immediately reported to the supervisor and Central Equipment.
- **Steering:** During operation, check for abnormal steering. Defects must be immediately reported to the supervisor and Central Equipment.

When an operator detects a vehicle problem requiring repair they must immediately notify their foreman/department head. Non-critical items may be deferred at the discretion of the operator's foreman/department head. Once the foreman/department head is made aware of the need for vehicle repairs, they should contact the Central Equipment foreman and report the problem and arrange for the repair. Defects impacting safety of operation (lights, brakes, suspension, steering, and any other critical items (fluid levels)) must be immediately reported to Central Equipment. The foreman/department head will then make the final disposition of the vehicle until all repairs can be completed and vehicle returned to safe operating condition. If the vehicle may be safely operated, the foreman/department head will inform the foreman when to bring the vehicle in for repairs.

Scheduled maintenance: Scheduled maintenance is performing preventive maintenance tasks on schedule. Most vehicle services will occur at either a 4,000 mile or 250-hour interval. For the specific service schedule for a vehicle, contact a foreman at Central Equipment. The vehicle operator plays a key role in ensuring scheduled maintenance occurs when required. The operator should know when their vehicle must be serviced (time or miles) and prior to that time must inform their supervisor that the service will soon be due. The operator's foreman/department head must contact the Central Equipment foreman and schedule the service. Foreman/department head must ensure the service occurs as close to the service interval as possible.

Abuse:

- **Trash:** Operators are responsible to remove all trash from their vehicles at the end of the day. The vehicle interior must be cleaned daily to remove debris and trash. All spills must be promptly cleaned up.
- **Vehicle modifications:** No department or unqualified employee will be permitted to make any modifications or alterations to any vehicle or piece of equipment owned by the city. Any modifications or alterations will be performed by qualified technicians. Any modifications must not compromise safety, efficiency, or warranty of the vehicle or equipment.
- **Smoking:** Smoking **is not permitted** in any city vehicle or piece of equipment.

2-12 EMPLOYER -PROVIDED MOBILE DEVICE POLICY:

The City may require access to some employees at all times. For this reason, the City may provide and pay for a mobile device for these employees. The City provides these mobile devices to increase productivity and allow employees to maintain adequate contact with both the City,

employees and its citizens. If an employee is the recipient of an employer-provided mobile device, please use it appropriately.

The City expects that all employees using employer-provided mobile devices will:

- Act professionally;
- Avoid exceeding the number of allotted minutes;
- Use the device for business purposes only;
- Not use the devices while driving;
- Immediately inform their foreman/department head if the device is damaged or lost.

The employee is responsible for all costs that fall outside of the monthly basic rate that is paid by the city. These costs include but are not limited to:

- Text message fees or messaging packages,
- Excessive data usage,
- Picture transfer fees or packages,
- 411 information assistance calls,
- Accessories such as car chargers, belt clips, etc., and replacement costs for equipment when not covered by warranty.

The employee will be asked to reimburse these additional costs to the City after appropriate city staff have reviewed the monthly statement and confirmed that such charges exist. The employee will be expected to reimburse these costs within ten (10) days of being notified. Payment shall be made to the City Controller. Employees should limit their use of city issued cellular phones to business related calls and/or business.

If an employee would like to order additional equipment, accessories, text or picture transfer plans, or other functions or equipment these requests must be sent in writing via email to the Information Technology Department Help Desk. Verification of those orders will be sent to the employees.

2-12.1 Use of Cellular Phone While Driving:

The City prohibits any use of either City issued or personal cellular phones while driving. Employees who desire to place or receive calls while operating a motor vehicle shall either pull over and stop the vehicle in a safe and proper manner before proceeding with the call or use a hands-free device.

2-12.2 Texting While Driving:

Texting/reading emails while driving is a violation of the law and is ***strictly prohibited***. Employees who desire to text/read emails while in any City vehicle must pull over and stop the vehicle in a safe and proper manner. Any employee found to be texting or reading emails while driving in a City vehicle will be subject to disciplinary actions up to and including termination.

2-12.3 Replacement or upgrade of equipment after the initial purchase:

In the event due to employee's negligence and phone is not functioning properly, lost and/or damaged, the employee will be responsible for the replacement cost. The employee will be responsible for notifying IT as soon as it becomes damaged, lost and/or damaged. The Information Technology Department will be solely responsible for obtaining new equipment and/or upgrading outdated equipment.

2-12.4 Purchase of Employee Mobile Device:

City employees who have been provided a mobile device and are retiring from the City o have the choice to purchase the mobile device at the end of employment. The employee should contact their department head and/or IT department to fill out appropriate paperwork in order to purchase device. IT department will have the steps that need to be taken, the terms of sale and the agreement to sign.

2-13 TELEWORK POLICY:

Assigned Office: The location where work is normally performed, such as a local office and/or City Hall.

Telework: A mutually agreed upon work option where regular duties are performed during an employee's regularly scheduled work hours at the employee's home.

The City may find it appropriate to utilize telework and/or remote work as an option for limited duration as a workspace alternative. Telework may be available on a limited basis to full time employees, and whose job duties do not require them to be in their assigned office. Telework must be approved and employee must follow a verifiable work schedule. Extenuating circumstances such as city, state, or national emergencies, employee medical conditions, and departmental constraints such as lack of office space will factor into any telework decisions. Telework may be available to employees based upon department head assessed needs and work habits of the employee. The telework option is not an ideal arrangement for all employees and the department head may consider several factors in determining whether to approve telework request. Such factors are but not limited to the following:

- Employee performance
- Discipline History
- Needs and work style

Telework practices:

- Must not hinder the employee's ability to fulfill the employee's job duties.
- Hours must be approved by department head and employee must be accessible by either phone and/or email at all times.
- The City designated management may be required to inspect anticipated telework premises prior to the approval of a telework arrangement
- Employees who are approved to telework, may be required to report to an assigned office location upon management request. Employees may also be required to adjust schedules and/or assigned locations to meet the operational needs of the City
- Employees who are eligible to telework must comply with all applicable laws, work rules, state and local policies and program guidelines. Performance standards will not be adjusted due to participation in the telework option. Additionally, employees who are teleworking do retain the same rights and benefits as on-site employees.
- Employees who telework ma not care for dependents and/or conduct personal business during the employee's regular scheduled work hours.
- Employee may not work and/or earn compensation from any other source during the regular scheduled non-overtime work hours (i.e., for which the employee would earn compensation while teleworking).
- Under no circumstances may teleworkers hold business meetings with clients, partner agencies, professional colleagues, and/or members of the public at their assigned telework location.
- Security and confidentiality rules apply equally to the assigned office and location that the telework will be completed at. Confidential records must be logged in and out of the assigned office. Violations will result in immediate revocation of the employee's telework option.
- Items not provided by the City when an employee is teleworking:
    - Office furniture, installation and maintenance of internet service and telephone; and
    - All printing, copying, and scanning should occur at a City office location;
    - Employee will contact the IT Department if equipment fails. Work will be completed out of the IT department located in City Hall.

- The City reserves the right to terminate participation at any time. The employee may request to terminate telework with at a minimum 30-day notice unless extenuating circumstances require an earlier time frame or a longer time frame. The decision will be at the discretion of management.
- Emergency circumstances may arise that may require the City to adjust this policy and the procedures. If an emergency situation occurs the City will take all necessary steps to notify the employee that they will temporarily work via the telework policy.
- Foreman/department heads must provide on-going monitoring of the telework that is being completed. The employee shall continually communicate their progress and hours to their foreman/department head. A weekly report may be completed by the employee that reflects the work that has been completed and/or is being worked on currently.
- Employees who are allowed to telework will be asked to sign a telework agreement. Those who refuse to sign will not be allowed to telework.

2-14 CONFIDENTIAL INFORMATION & COMPANY PROPERTY POLICY:

During employment at the City, an employee may have access to confidential and proprietary data, this information (hereinafter referred to as "Confidential Information") includes, but is not limited to:

- Data relating to the City's marketing and servicing programs;
- Policies and procedures;
- Lists of suppliers, vendors and/or contractors;
- The identity, authority and responsibilities of key contacts of City accounts;
- The composition and organization of accounts;
- Sensitive details concerning the structure, conditions, and extent of the existing products and services;
- Contract expiration dates;
- Proprietary software, web applications and analysis tools; and
- Other data showing the particularized requirements and preferences of the accounts.

This confidential information is a valuable asset of the City, developed over a long period of time and at substantial expense. To protect the City's interest in this valuable asset, an employee must:

(a) Not use any such Confidential Information for an employee's personal benefit and/or for the benefit of any person or entity other than the City; and/or

(b) The employee's best efforts to limit access to such Confidential Information to those who have a need to know it for the business purposes of the City.

In addition, an employee should minimize those occasions on which they take documents, computer disks, laptops, tablets and/or smartphones containing such Confidential Information outside the office. On those occasions where it is necessary, consistent with the best interests of the City and with doing employee's job effectively, to take documents, computer disks, laptops, tablets and/or smartphones containing Confidential Information outside the office, all appropriate precautionary and security measures should and will be taken to protect the confidentiality of the information.

During the course of employment with the City, an employee will be provided with and will generate correspondence, memoranda, literature, reports, summaries, manuals, proposals, contracts, customer lists, prospect lists, and other documents and data concerning the business of the City. Any and all such records and data, whether maintained in hard copy and/or on a computer or other medium, is the property of the City, regardless of whether it is or contains Confidential Information. Upon termination of employment with the City, an employee is required to return all such records to the City and may not retain any copy of such records or make any notes regarding such records. The City

reserves the right to search for such information and property in personal items while on City premises such as vehicles, purses, briefcases, etc.

2-15 CONFLICT OF INTEREST POLICY:

All employees have a duty to further the City's aims and goals, and to work on behalf of its best interests. Employees should not place themselves in a position where their actions and/or personal interests may be in conflict with those of the City. Examples include:

- Soliciting or profiting from the City's client and/or prospect base or other company asset for personal gain while during the employee's normal scheduled work hours.
- Acting without authority on behalf of the City in servicing and/or obtaining a client.
- Limiting the best solution for the client and/or prospect for personal financial gain.
- Acting as director, officer, employee or otherwise for any business or institution with which the City of Kokomo has a competitive and/or significant business relationship without the written approval of the Director of Human Resource and/or Mayor.

Employees should report to their foreman/department head any situation and/or position (including outside employment by an employee or any member of an employee's immediate household) which may create a conflict of interest with the City. If an employee seeks employment outside of the City employment, the employee shall sign the Secondary Employment Notification and Approval Form.

2-16 DRESS CODE & PERSONAL HYGIENE:

The City believes that an employee's pride in both themselves and the City is reflected in an employee's appearance. The City feels that the business image is important and, therefore, request that City employees maintain standards of dress and appearance appropriate to both the organization as a whole and the individual employee position responsibility. Dress, grooming, personal cleanliness and professional behavior standards contribute to the professional image the City strives to present to the City's suppliers, vendors, contractors, and citizens. Therefore, while performing duties for the City, employees are expected to dress in attire appropriate to the business environment and to behave in a professional manner at all times to best represent the City's business.

The City's formal dress guidelines include a more relaxed dress and/or "business appropriate" dress, which the City feels is in the best interest of the City, the employees and the citizens.

All employees should select their business attire for meetings and contact outside of the office by the type of function that will be attended. Also, on occasion there may be a specific business reason to require that all employees dress in traditional business attire. In such instance, this will be communicated to employees in advance and they will be required to dress accordingly.

The City business appearance and image is important. However, the City respects individual preference and choice in dress and appearance. The City is confident that employees will use their best judgment in following the dress and attire guidelines. The City requests that at all times employees make certain that they appear well-groomed, clean and that clothing is appropriate, neat and well-fitting. While relaxed business attire is acceptable within the stated guidelines, the City wants to be sure the environment does not jeopardize professionalism and productivity. The employee's foreman/department head will discuss the subject of personal appearance with the employee if it is felt it does not positively reflect the image of the City. Employees contribute to the reputation of the City in the way they present themselves.

2-16.1 Appropriate Business Attire and Appearance Guidelines:

Casual business wear: Clean, neat clothing that contributes to an appropriate and generally accepted image of the respective job classification.

The City and management reserve the right to determine the appropriateness of any clothing item worn while on duty and/or during working hours. The City designates business casual attire guidelines in most departments unless otherwise stated by foreman/department head. If an employee is unclear about dress and appearance guidelines, they are encouraged to consult with their foreman/department head and/or Human Resources.

If an employee reports to work in questionable attire and/or appearance, the employee will be notified and advised/counseled regarding the inappropriateness of the attire. Depending upon the circumstance, the employee may also be sent home with directions to return to work in proper attire. It is expected that any work time lost will be made up by the employee. Continued or frequent departures from these guidelines will not be permitted and employees who appear for work inappropriately dressed/groomed repeatedly will be subject to disciplinary action up to including termination.

The list below of dress guidelines in not inclusive and the City and management reserve the right to determine the appropriateness of any clothing item:

- For men traditional attire includes:
  - A business suit, jacket/blazer and/or tie;
  - Relaxed business attire includes dress pants, collared shirts, sweaters and close-toe shoes
- For women traditional attire includes:
  - Relaxed business attire includes dress pants, collared shirts/blouses, sweaters, blazers, close-toe shoes when in designated departments, skirts/dresses
  - Sundress, leggings and tank tops only with an appropriate cover up
- Reasonable accommodation of religious beliefs:
  - The City will reasonably accommodate an employee's religious belief in terms of workplace attire unless the accommodation creates an undue hardship
  - If such request is needed, the employee should speak to Human Resources
- Friday and/or designated dress down days:
  - Blue jeans
  - Clothing with City logo and/or department name
  - Looser clothing including sweatshirts, colored T-shirts (without messages) and athletic shoes can be worn in order to allow the employee to enjoy a special occasion (e.g. Halloween), spring or fall office "cleanup days", etc.
- All employees receiving uniforms or a uniform allowance are expected and required to wear uniforms while on duty. If safety equipment is issued, employees are required to utilize this equipment as appropriate.
- Individual department dress guidelines are determined by job requirements, outside or inside needs and manual in nature.
- Inappropriate Attire: Clothing that is revealing and displays comments and/or graphics that could be offensive, dirty, ragged, ungroomed, provocative and all else the City and management deems is inappropriate.

If a staff member's dress attire, personal hygiene and/or use of too much perfume/cologne is an issue, the foreman/department head should discuss the problem with the staff member in private and should point out the specific areas to be corrected. If the problem persists, foreman/department head should follow the normal corrective action process and consult with Human Resources to assist in the matter.

2-17 EMPLOYEE FRATERNIZATION POLICY:

The City wants to preserve a working environment that has clear boundaries between personal and professional relationships. This is believed to be the best practice for conducting business in a

professional manner. This policy establishes clear boundaries with regard to how relationships develop at work and within the confines of the work area.

- During working hours and in work areas, employees of City are expected to keep all personal interactions limited and at a professional level to avoid distracting and/or offending others.
- Employees are prohibited from engaging in any physical interactions that would be seen as inappropriate in the work area. What constitutes inappropriate conduct is in the discretion of the City.
- Employees who engage in personal relationships with others and allow these relationships to negatively affect the working environment will be subject to disciplinary action up to and including termination.
- If said employees fail to change their behavior after disciplinary action takes place, they may be subject to termination.
- Romantic relationships between supervising, managing and/or executive employees and subordinates are strictly prohibited. If a relationship does develop between a supervising employee and their subordinate, Director of Human Resources should be notified immediately so that a department transfer may be considered.

2-18 NEPOTISM POLICY:

The City is committed to hiring and retaining highly qualified persons. At the same time, we recognize that, despite their qualifications, hiring and retaining a relative and/or relative of present personnel might raise serious questions regarding the objectivity and/or appearance of objectivity of work assignments, evaluations, and employee treatment. The City's employment policies, administered on a case-by-case basis, are based on balancing these concerns, pursuant to the statutory regulations set forth in IC 3-5-9, IC 36-1-20.2, and IC 36-1-21.

For purposes of this policy, a City employee immediate family includes your mother, father, husband, wife, son, daughter, sister, brother, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, stepchild, stepparent, grandchild or grandparent. This policy also applies to close personal relatives such as uncles, aunts, first cousins, nephews, nieces or half-siblings.

2-18.1 Employment Practices:

Individuals who are relatives may not be employed by the City in a position that results in one relative being in the direct line of supervision of the other relative.

Employee not in violation if relative assumes elected office:

- is employed by the City on the date the individual's relative began serving a term of an elected office of the City; and,
- is not exempt from the application of this policy, that individual may remain employed by the City and maintain the individual's position or rank even if the individual's employment would violate the prohibition against one relative being in the direct line of supervision of the other relative.

The individual described above may not:

- be promoted to a position; or,
- be promoted to a position that is not within the merit ranks, in the case of an individual who is a member of a merit police department or merit fire department if the new position would violate the prohibition against one relative being in the direct line of supervision of the other relative.

IC 36-1-20.2-2 An individual who was employed by the City on or before July 1st, 2012 is not subject to these policies unless the individual has a break in employment with the City.

The following are not considered a break in employment with the City:

- The individual is absent from the workplace while on paid or unpaid leave, including vacation, sick, family medical leave, or worker's compensation.
- The individual's employment with the City is terminated followed by immediate reemployment by the City, without loss of payroll time.

This policy does not abrogate or affect any employment contract with the City that:

- an individual is a party to; and
- is in effect on the date the individual's relative begins serving a term of an elected office.

IC 36-1-21-6 Each elected official of the City shall annually certify in writing, subject to the penalties of perjury, that the official is in compliance with this policy. The official shall submit the certification to the Mayor no later than December 31st of each year.

2-18.2 Contracting Practices:

IC 36-1-21-5 The City may enter into a contract and/or renew a contract for the procurement of goods and services or a contract with public works with:

- An individual who is a relative of an elected official; or
- A business entity that is wholly or partially owned by a relative of an elected official; only if the requirements below are satisfied and the elected official does not violate IC 35-44-1-4 Conflict of Interest.

The City may enter into a contract and/or renew a contract with an individual or business as described above if:

- The elected official files with the City a full disclosure, which must:
  - Be in writing;
  - Describe the contract or purchase to be made by the City;
  - Describe the relationship that the elected official has to the individual or business entity that contracts or purchases;
  - Be affirmed under penalty of perjury;
  - Be submitted to the Kokomo Common Council and be accepted by the Kokomo Common Council in a public meeting of the City prior to final action on the contract or purchase; and,
  - Be filed, no later than 15 days after final action on the contract or purchase with the State Board of Accounts and the Howard County Circuit Court Clerk;
- The appropriate agency of the unit:
  - Makes a certified statement that the contract amount/purchase price was
    - the lowest amount and/or price bid offered; or
  - Makes a certified statement of the reasons why the vendor/contractor was
    - selected; and
- IC 36-1-21-6 Each elected officer of the City shall annually certify in writing, subject to the penalties of perjury, that the officer is in compliance with this policy. The officer shall submit the certification to the Mayor not later than December 31 of each year.
- If a circumstance arises that results in a direct supervisory relationship between immediate family or close personal relatives (including marriage, reduction in force, reorganization, priority placement, etc.), one of the relatives may be reassigned to an appropriate vacancy. During the period that a direct supervisory relationship exists between immediate family members or close personal relatives, the supervisory relative will not be involved in any personnel action involving his or her relative. Typical first-level supervisory responsibilities will be referred to the next higher level in the supervisory chain.

2-19 ONLINE SOCIAL NETWORKING POLICY:

The City is committed to maintaining a good relationship with its employees and the marketplace. The way the public views the City is vital to maintaining business, gaining new business, retaining first-class employees, recruiting new employees and marketing our products and services.

The City has no intention of controlling employee actions outside of work, employees should practice caution and use discretion when posting content on the Web. Employees have the right to use social media for personal expression on their own time, and the City will not violate employee privacy by attempting to access content that has not been made available publicly. This policy serves as a notice on the practice of social networking for all employees to read and understand. As more concerns develop and legislation is released, this policy is subject to change.

The purpose of this policy is to:

- To foster a constructive relationship between the City and its employees;
- To manage risk and preserve the City's positive reputation;
- To discourage the use of City time for personal social media activities; and
- To promote awareness among employees of the number of individuals who can access information presented on social networking site
    - ***Social networking*** and ***social media*** refer to any activity that involves interaction in online communities. This interaction includes, but is not limited to, browsing profiles and photos, reading messages sent through social networking forums and participating in instant messaging services.
    - A ***social networking site*** is any website that links individuals electronically and provides a forum where users can connect and share information. These websites can be tailored to specific interests or to certain types of users. Examples of popular social networking sites include Facebook, Twitter, Tumblr, Instagram and LinkedIn. The list of social networking sites is constantly growing and changing because of the nature of the Web.
    - A ***social networking profile*** is a user's personalized page within a specific social networking site, usually containing personal information such as name, birthday, photo and interests.
    - ***Micro-blogging*** is the practice of publishing your recent whereabouts, thoughts or activities on a social networking site for other users to see. While not all social networking sites use micro-blogging, this is a primary focus of sites such as Twitter and Facebook.
    - ***Business purposes*** is considered using a social networking site for the City's gain, usually as a task and/or assignment given by a foreman/department head. This can be done either through a specific company account on a given social networking site or through a personal account set up for the purposes of recruiting and/or marketing for the City.
    - The term ***Working Hours*** includes any time during which employees are being paid to conduct company business. Standard working hours are from 7:00am to 4:30pm, Monday through Friday unless otherwise specified by department head. This timeframe may vary based on job type and responsibilities.

2-19.1 Procedures – Prohibited Use:

It is important that employees use their time at work for business purposes. Employees are not blocked from access to social networking sites on the City computers because, under some circumstances, social networking is a powerful business tool that can be channeled to gain positive publicity for the company and to connect with citizens. However, access to such websites should follow company policy. The following actions are prohibited during working hours:

- Using social networking sites to conduct personal and/or non-City business with a City computer and/or device.
- Browsing social networking sites for non-City business on City time with a City computer and/or device.

- Reading e-mail alerts regarding personal social networking account activity and/or using the City e-mail to correspond with personal social networking contacts.
- Updating information, uploading photos and/or otherwise engaging with one's personal social networking profile for non-business purposes with a City computer and/or device.
- Micro-blogging for a non-business purpose on a social networking site throughout the day, whether it is on a City-provided computer and/or a personal smart phone device.

2-19.2 Conduct – Prohibited Use:

Having your own individual social networking account and using it on your own time is permissible. However, keep in mind that some actions on your personal site are visible for the entire social networking community and may no longer be considered private matters. The City has put into place a set of conduct guidelines to protect its brand and prevent the unwanted disclosure of confidential information.

Please follow these guidelines:

- Do not use micro-blogging features to disclose trade secrets, publish internal reports, provide tips based on inside information and/or participate in other activities that may be considered insider trading.
- The City urges an employee to consider resolving workplace grievances internally. If an employee chooses to address a grievance using social media, the City recommends the employee refrain from posting comments and materials that could be viewed as malicious, obscene, threatening, intimidating, or that could create a hostile environment on the basis of race, sex, disability, religion or any other status protected by law.
- The City also recommends the employee refrain from posting any opprobrious, reckless or maliciously untrue comments. These communications may not be protected by law.
- Do not impersonate City or its employees, make statements on behalf of City without authorization, or make statements that can be construed as establishing the City's official position and/or policy on any particular issue.

As stated above, the purpose of this policy is to protect the City's brand and prevent the disclosure of confidential information. It is not the City's intent to interfere with its employees' legal rights. Whenever state or federal law govern an area of social media participation, the City's policies should be interpreted as to comply with them.

2-20 OPEN DOOR POLICY:

To foster an environment where employees and management feel comfortable communicating with and voicing concerns to one another, the City uses an open-door policy. This policy means that all of the department heads' doors are open to all of the employees, and employees are free to talk with management at any time. Please consider the following in regard to this policy:

- The employee is responsible for addressing concerns with a foreman/department head, including complaints, suggestions and observations. Addressing these concerns allows the City to improve and explain practices, processes and decisions.
- The City recommends that an employee first discuss concerns with their immediate foreman/department head, but the Open-Door Policy also gives an employee the option of discussing them with the Director of Human Resources and/or Mayor. All of these parties will be willing to listen to the issue and assist in a resolution.

2-21 DIRECT DEPOSIT POLICY:

It is the policy of City to issue employee payments solely through electronic direct deposit. Checks will not be issued. Employee payments will be electronically deposited directly into one or

more checking and/or savings accounts designated by each employee. Accounts must be established with financial institutions, such as banks or credit unions that support direct deposit. Controller's Office must be notified when there is any change to bank accounts that affect direct deposit, and those changes must be received prior to payday for which the change is to occur.

Temporary exceptions to this policy may be made for new hires, to provide adequate time to set up a direct deposit account. Exceptions may also be made for employees who provide evidence that they cannot obtain an account at a financial institution offering direct deposit. Payroll Services and/or Human Resources will assist employees with completing the necessary documentation as well as answering any questions or concerns about direct deposit.

It is each employee's responsibility to review their payroll stub for accuracy of personal information and payment information. Employees must immediately notify payroll services and/or Human Resources if there has been an overpayment of wages. Employees are not entitled to keep wage overpayments and the City may recoup overpaid amounts from future payments.

2-21.1 Payroll Deductions:

An employee of the City may have a portion of their wage withheld for the following reasons, but not limited to:

1. Group health insurance premiums
2. Life Insurance premiums
3. Credit Union transactions
4. Deferred compensation
5. Voluntary contributions
6. Garnishments

Appropriate forms are available in the office of the Controller.

2-22 PERFORMANCE EVALUATION POLICY:

The City is committed to providing you with feedback, both formal and informal, about your performance on the job. Foreman/department head are responsible for providing ongoing performance feedback to each employee. In addition, the employee's foreman/department head shall formally discuss and document the employee's performance on a regular basis (generally annually). In some departments and/or positions, an initial performance review may be conducted within three to six months after an employee is hired and/or transfers to a new position.

The employee's performance appraisal discussion will review the employee's strengths, identifies any areas needing improvement, goals and objectives that need to be achieved. Specific performance problems may be addressed outside the performance appraisal cycle through either informal discussions and/or formal disciplinary action. Formal performance feedback becomes a permanent part of the employee's personnel file.

2-23 PERSONNEL RECORDS POLICY:

The City strives to keep accurate and up-to-date personnel, benefits, and medical records. Employee personnel records will be maintained in the central personnel file and will contain material relevant to employment. An employee's personnel file may be examined by that employee upon request. The employee may request additions and/or corrections to their file, and such changes will be made when appropriate. To assure current and accurate information, the employee is responsible for seeing that the Human Resource Department is made aware of the status changes such as changes in telephone number and address. The employee may also be required to provide any additional information needed for compliance with any federal, state or local requirements.

The City will comply with all statutory requirements regarding and maintaining the confidentiality of all City employee's health conditions, personnel records, and all other matters that relate to the employee's employment and City interactions. Information released from the personnel file shall be in compliance with Indiana Law and other applicable mandates.
Employee personnel files may include the following:

- Employee demographic information
- Job application
- Position description
- Résumé
- Training records
- Salary history
- Disciplinary action records
- Performance reviews
- Coaching and mentoring records

To ensure the accuracy of your personnel records, please notify us immediately if any of the following changes:

- Name
- Address
- Telephone number
- Marital status
- Dependent status
- Tax status

Personnel records are confidential and are not available to anyone outside of the City, unless the employee has personally authorized the release. A release may not be necessary when reporting certain information as required by law and/or when an authorized governmental agency inspects files. Access to employee medical files is governed by HIPAA compliance regulations.

Employees are entitled to inspect and to obtain copies (copying fee may be charged) of their personnel files. To obtain access to your records, contact Human Resources in writing.

2-24 SMOKE-FREE ENVIRONMENT POLICY:

City Hall: Building at 100 South Union, Kokomo, IN. The term building refers to all interior/exterior spaces of the building.
Employees: Any person employed and/or contracted to do work for the City.
Buildings owned by City of Kokomo: Any building owned by the City and utilized by citizens and/or employees.
Smoking: The carrying and/or holding of a lighted cigarette, cigar, pipe, or any other lighted tobacco smoking equipment, or the inhalation or exhalation of smoke from any lighted tobacco smoking equipment.

- Employees employed by the City are not permitted to carry and/or hold a lighted cigarette, cigar, pipe, or any other lighted tobacco smoking equipment while performing city business.
- In accordance with House Enrolled Act 1149 (The Indiana Smoke Free Air Law) smoking is prohibited in all government owned buildings. This includes the entire building (private offices, basements, garages. etc.).
- The designated smoking area for City Hall will be on the outside of the east entrance no closer than eight feet to the public entrance. The west entrance (Union street entrance) shall remain a smoke free area for employees at all times. This will allow employees and visitors a smoke free environment to enter the building.

- Each building owned by the City shall establish a smoking area in accordance with this policy and utilize the following guidelines:
  - No smoking in any City owned building;
  - No smoking in any City owned/leased vehicles;
  - All smoking areas must be at least eight feet from the public entrance to allow non-smokers usage and shall not cause smoke to infiltrate other areas; and
  - There shall be no smoking within eight feet of any entrance to any city owned building and each city owned building shall have signs designating no smoking within eight feet.
- Department heads will assure break times are not abused by individual employees.

2-25 SOCIAL FUNCTIONS POLICY:

At times, social events will be hosted by the City for employees to attend. These events may take place due to the hiring and/or promotion of an employee, or for other reasons.
Some events may be celebrated with a group luncheon, arranged by management. At times, the City may also host parties and/or social gatherings outside of working hours. These events may take place to celebrate holidays, City successes, and/or for many other reasons.

At all City hosted social functions, employees are responsible for behaving in a professional manner. While alcohol may be served, employees should refrain from becoming intoxicated in order to avoid disruptive behavior.

Even at social functions, employees must remember that they are representing the City and need to ensure that they are upholding the City's positive reputation at all times. Therefor all City policies and procedures extend to City hosted functions and governed by the employee manual, contracts, and policies.

2-26 SOLICITATIONS, DISTRIBUTIONS & USE OF BULLETIN BOARDS POLICY:

Understanding that employees may occasionally wish to communicate with their co-workers to advertise personal items for sale and/or to participate in fundraisers for non-profit organizations, children's schools and other non-work events, the City will allow use of lunchrooms and bulletin boards to distribute such information. Bulletin boards are located throughout City Hall and in individual departments.

Management reserves the right to monitor such communications and remove them if inappropriate and/or not in the best interest of the City. In respect for other's efficiency, please do not use work email, voicemail and/or other resources as a means to solicit and/or distribute non-work materials. Activities that disrupt work hours or operations are prohibited.

Persons not employed by the City may not solicit City employees for any purpose on City premises. Nothing in this policy is intended to infringe on an employee's right to discuss working conditions as provided by Section 7 of the National Labor Relations Act (NLRA).

2-27 ACCESS TO PUBLIC RECORDS:

A fundamental philosophy of the American constitutional form of representative government is that government is the servant of the people and not their master. Accordingly, it is the public policy of the City that all persons are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and employees as allowed and required by law. Providing persons with the information is an essential function of a representative government and an integral part of the routine duties of public officials and employees, whose duty it is to provide the information.
The City of Kokomo is subject to, every other law, Indiana's Access to Public Records Act and

Indiana's Open-door Act, and is committed to compliance with these laws.
Improper or unauthorized release of information is prohibited. Employees who violate this provision are subject to discipline, up to and including termination.

Employees and/or citizens must follow the following procedures:

- Requests for public records should be made to the Office of Corporation Counsel, located on the 3rd floor of City Hall or through the Kokomo Police Department, located on the 2nd floor of City Hall.
- All requests should be made on the "**Request for Information of Public Records**" form.
- Every effort will be made to respond within a reasonable period of time for requests made in person or by telephone.
- Requests made by mail, email, or facsimile will be responded to within a reasonable period of time, provided that each request will be acknowledged within twenty-four (24) hours.

2-28 LEP – LIMITED ENGLISH PROFICIENCY:

The City is committed to providing quality services to all citizens, including those who do not speak English as their primary language, and who have a limited ability to read, speak, write, or understand English. These individuals may be considered Limited English Proficient, or "LEP," and may be entitled to language assistance.

The City will take reasonable steps to ensure meaningful access to its programs and activities by LEP persons. The intent of this policy is to find a balance that ensures meaningful access by LEP persons to critical services while not imposing undue burdens on the City and/or departments. Specific steps to be taken, in terms of translation or language interpretation, will depend on the situation at the time, from coordination with LEP individuals and the organizations that serve them and from analysis of the City's existing resources and the costs of providing language assistance.

(For more information, please refer to the Title VI policy)

SECTION 3: SAFETY POLICIES

3-1 GENERAL SAFETY:

The City wishes to maintain a safe and secure environment for all employees to work and the public at all times. Establishment and maintenance of a safe work environment is the shared responsibility of the City and all employees. The City will take all reasonable steps to ensure a "safe environment for employees, customers, citizens and visitors and to ensure compliance with federal, state, and local safety regulations".

The City department heads and employees will be committed to the following principles. These principles state the City's position towards safety and health and will be followed in order to achieve a healthy and safe workplace with ***ZERO*** accidents. The City of Kokomo openly welcomes constructive suggestions for improvement in the safety and health area without the threat of any negative consequences.

NOTE: Failure to comply and/or report all safety policies violations/incidents can and will result in disciplinary action, up to and including termination.

For further Safety guidelines and information, please refer to the Safety Manual for the City.

3-1.1 Employee Responsibilities:

- Employees shall obey safety rules and exercise caution in all work activities
- Shall immediately report any unsafe conditions to the department head/foreman and/or Director of Human Resources. Reports and concerns about workplace safety issues may be made without fear of reprisal.
- Employees are responsible for cooperating with all aspects of the safety and health program. Employees are expected to develop and present the proper attitude towards safety at all times.
- All employees are expected to correct unsafe conditions as promptly as possible.
- All employees are required to wear any and all necessary personal protective equipment.
- Any and all accidents must be reported to the department head and/or supervisory, regardless of how insignificant the injury may appear.
- The employee must report any and all accidents/incidents to the department head and/or foreman immediately following the accident/incident and to ensure all details are included in report.
- When necessary, employees may be required to submit to inspection of their personal property and/or person. The City requires the cooperation in all inspections and policy.
- To become familiar with and follow the emergency action plan/procedure in order to reduce the threat of injury to employees and to the public. (Emergency Action Plan).

3-1.2 Employer Responsibilities:

- To provide and maintain a safe environment that meets or exceeds requirements of federal, state, and local regulations.
- Training employees to work safely is an essential component of employment. Therefore, all employees will be trained in the proper work procedures for their assignment. This training will begin at initial assignment then performed on a continual basis.
- The department head and/or supervisor must report any and all accidents to the Human Resource Department and any other necessary persons within 24hrs (See Accident Reporting Procedure). Such reports are necessary to comply with laws and to initiate insurance and worker's compensation procedures.
- To ensure that employees know and understand the Emergency Action Plan for their respective departments and places they will be working.

- Department heads are responsible for encouraging the development of safety awareness and safety consciousness work for themselves and their employees. They are to ensure that all work is performed according to established and approved safety and health procedures.

3-2 EMERGENCY CLOSING OF FACILITIES:

The Mayor or their designee may close city offices for any emergency reason. If the emergency causes a partial-day closing or an entire day closing the employee will receive the time off as "excused no pay" or the employee may opt to use any accrued leave time which they have available to cover the time off due to the closing (i.e. vacation or banked PTO) unless otherwise designated by the Mayor.

Full-time, part time, seasonal and temporary employees are paid only for hours actually worked and are not eligible for pay during closings if they do not work their scheduled hours. Exempt employees will receive their base daily pay pursuant to the FLSA, but may be required to use available accrued leave to cover time off due to closing.

3-3 INTERNAL EMERGENCY PLANS:

The City will provide employees with a copy of an internal emergency/disaster plan that outlines procedures for an emergency of disaster, such as a fire, tornado, or bomb threat. Employees must become familiar with and follow these emergency procedures to reduce the threat of injury to the public or city employees.

3-4 EMERGENCY CONTROL PLAN:

The City will provide employees with a copy of an emergency control plan that will outline the steps and procedure dealing with blood borne pathogens, exposure controls, steps to take if exposure occurred, record keeping and housekeeping protocol.

3-5 SECURITY OF PREMISES/INSPECTIONS:

The City wishes to maintain a safe and secure environment. The City requires the cooperation of all employees in administering this policy, including cooperation with an inspection. Employees may be required to submit to an inspection of any personal property, vehicle, and/or person.

3-6 INCIDENT & INJURY REPORTING:

Incident: A work related event in which an injury and/or ill-health/fatality occurred, or could have occurred

Root Cause: The underlying reason why unsafe conditions exist and/or if a procedure or safety rule was not followed in a workplace. Root causes generally reflect management, design, planning, organizational or operational failings.

The City is committed to enforce all federal, state, and local health and safety guidelines to avoid such occurrences and expects all City employees to comply. However, incidents and injuries are sometimes inevitable. The City's provisions are to ensure that all incidents/injuries are reported in a timely manner so they can be investigated properly, and preventative measures can be reviewed and reinforced.

All incidents and injuries need to be investigated. The process allows the City to look beyond ***WHAT*** happened to discover ***WHY*** it happened. The City and all departments within the City need to identify and correct in order to improve the safety and health of all City employees during the employee's employment.

Incident investigations that focus on identifying and correcting root causes, not on finding fault or blame, also improve workplace morale and increases productivity, by demonstrating the City's commitment to a safe and healthful workplace. All incidents/injuries shall be discussed with the Safety Committee while adhering to all HIPAA guidelines in order to ensure that all departments with comparable risks can also correct in a timely manner.

Guidelines:

- Human Resource Department should be notified immediately of all incidents and/or injuries via a phone call from department head/foreman as soon as the employee and scene are secured and safe.
    - The determination to drug test should follow the guidelines stated in the Drug Free Workplace Policy in Section 4 of this Employee Manual
- Incident/injury report should be completely filled out and sent to Human Resource department within twenty-four (24) hours. Completely filled out includes who, what, when, where, why, and how the incident occurred to ensure that Workman Comp has all necessary information to proceed with case.
- If OSHA needs to be notified due to a fatality, hospitalization, amputation, and/or loss of an eye, Human Resource Department will be the one to notify OSHA.
- The foreman/department head will conduct investigations and develop/implement controls that will eliminate and/or reduce the incident/injury from reoccurring.
    - The control does not have to be implemented immediately but a timetable needs to be created in order to maintain accountability.
- Safety Committee, Human Resources and/or Mayor will ensure all controls are sufficient and are completed within the necessary timetable.

3-7 ABUSE AND MOLESTATION:

Sexual abuse: Takes the form of inappropriate sexual contact or interaction for the gratification of the actor who is functioning as a caregiver and is responsible for the patient's or child's care. Sexual abuse includes sexual assault, exploitation, molestation or injury.

Child sexual abuse: any sexual activity, involvement, or attempt of sexual contact with a person who is a minor (under 18 years old) where consent is not or cannot be given.

Sexual activity with another who is legally incompetent or otherwise unable to give consent.

Physical assaults or violence: such as rape, sexual battery, abuse, molestation or any attempt to commit such acts.

Unwanted and intentional physical conduct that is sexual in nature: such as touching, pinching, patting, brushing, massaging someone's neck or shoulders, and/or pulling against another's body or clothes.

Unwelcome and inappropriate sexual activities: advances, comments, innuendoes, bullying, jokes, gestures, electronic communications or messages (e.g. email, text, social media, voicemail), exploitation, exposure, leering, stalking or invasion of sexual privacy.

A sexually hostile environment: characterized as comments or conduct that unreasonably interferes with one's work performance or ability to do the job or creates an intimidating, hostile, or offensive environment.

Direct or implied threats: that submission to sexual advances will be a condition of employment or affiliation with the organization.

The City does not permit and/or allow sexual abuse or molestation to occur in the workplace or at any activity sponsored by or related to it and will not tolerate such occurrences. In order to make this "zero tolerance" policy clear to all employees, volunteers and staff members, the City has adopted mandatory procedures that employees, volunteers, family members, board

members, individuals and victims must follow when they learn of and/or witness sexual abuse and molestation.

Sexual abuse does not include sexual harassment, which is another form of behavior which is prohibited by the City.

3-7.1 Reporting Procedure:

All City employees and/or management who learn of sexual abuse being committed must immediately report it to the Director of Human Resource. If the victim is an adult, the abuse will be reported by this designee to the local and/or state Adult Protective Services (APS) Agency. If a child is the victim, the designee will report it to the local and/or state Child Abuse Agency. Appropriate family members of the victim must be notified immediately of suspected abuse.

3-7.2 Investigation & Follow Up:

The City takes allegations of sexual abuse seriously. Once the allegation is reported the appropriate City official will promptly, thoroughly and impartially initiate an investigation to determine whether there is a reasonable basis to believe that sexual abuse has been committed. The investigation may be undertaken by either an internal team or the City may hire an independent third party. The City will cooperate fully with any investigation conducted by law enforcement and/or regulatory agencies and may refer the complaint and the result of the City investigation to those agencies. The City reserves the right to place the subject of the investigation on an involuntary leave of absence and/or reassign that person to responsibilities that do not involve personal contact with individuals and/or children. To the fullest extent possible, but consistent with the City's legal obligation to report suspected abuse to appropriate authorities, the City will endeavor to keep the identities of the alleged victims and investigation subject confidential. If the investigation substantiates the allegation, the City's policy provides for disciplinary penalties, including but not limited to termination of the employee's relationship with the City.

3-7.3 Signs and/or Red flags:

There are a number of "red flags" that suggest someone is being sexually abused. They take the form of physical and/or behavioral evidence. Physical evidence of sexual abuse includes, but is not limited to:

- Sexually transmitted diseases;
- Difficulty walking or ambulating normally;
- Stained, bloody or torn undergarments; and
- Genital pain or itching or physical injuries involving the external genitalia.

Behavioral signals suggestive of sexual abuse include, but are not limited to:

- Fear or reluctance about being left in the care of a particular person;
- Recoiling from being touched;
- Bundling oneself in excessive clothing, especially night clothes;
- Discomfort or apprehension when sex is referred to or discussed; and
- Nightmares or fear of night and/or darkness.

3-7.4 Employee and/or Worker Screening and Selection:

As part of its sexual abuse and misconduct prevention program, the City is committed to maintaining a diligent screening program for prospective and existing employees, volunteers and others that may interact with those employed by, associating with or serviced by the City. The organization may utilize a variety of methods of screening and selection, including but not limited to applications, personal interviews, criminal background checks and personal and professional references.

3-7.5 Retaliation Prohibited:

The City prohibits any retaliation against anyone, including an employee, volunteer, board member, student or individual, who in good faith reports sexual abuse, alleges that it is being committed or participates in the investigation. Intentionally false or malicious accusations of sexual abuse are prohibited. Anyone who improperly retaliates against someone who has made a good faith allegation of sexual abuse, or intentionally provides false information to that effect, will be subject to discipline, up to and including termination.

3-7.6 Supervision of Youth:

To provide a safe environment for minors, the City strives that a minimum of two adult workers supervise and/or be in attendance with minors during organization-related activities. The purpose is to avoid one-on-one interactions between adults and minors that are not easily observable by others. If individual meetings with a minor must be held in an office, keep the door open. If meeting is in reference to any conduct the door can be closed, however another adult of the same sex as minor must be present and the door must remain unlocked.

All employees, volunteers, and others who work in and around the City will need to sign the Acknowledgement of Receipt of Sexual & Molestation Abuse Policy.

- **Protection –** All victims will be protected from harm during the investigation. The alleged perpetrator must be removed from contact with all staff and citizens, pending outcome of the investigation.
- **Response** – Analysis of the occurrences will be conducted to determine what changes to policies and procedures are needed, if any, to prevent further occurrences.
- **Review** – The sexual abuse policy should be reviewed periodically. An annual review for staff and volunteers will be provided on the following with a documented sign-off:
    - Organization's sexual abuse policy;
    - Identifying sexual abuse; and
    - Reporting sexual abuse.

Avoid physical affection that can be misinterpreted. Limit affection to pats on the shoulder, high-fives, and handshakes. Document any unusual incidents, including disclosures of abuse and/or maltreatment, behavior problems and how they were handled, injuries, and/or any interactions that might be misinterpreted.

Inappropriate Physical Interaction to include but are not limited to the following:

- Full frontal hugs
- Kisses on the mouth
- Touching bottom, chest or genital areas
- Showing affection in isolated areas of the building
- Staff sleeping in bed with a child
- Touching knees or legs
- Wrestling/Piggyback rides/Tickling
- Allowing a child to cling to a staff leg
- Any type of massage given by or to a child
- Any form of affection that is unwanted by the child and/or the staff
- Compliments that relate to physique or body development

SECTION 4: WORKPLACE CONDUCT

4-1 CODE OF ETHICS:

The purpose of this policy is to help to maintain a high level of professionalism and conduct on the part of the employees of the City. These directives are not intended to dictate personal manners or lifestyles, but they do seek to promote the effective skills and services that characterize the City's employees. This policy is to provide guidelines and should not be seen as applying only to the general ideas listed here because employees should also incorporate their own view of positive work habits. Violation of this policy may include disciplinary actions up to and including termination.

Employee: An employee is defined as any person holding a regularly compensated position for the City, including regular full-time, part-time, temporary, and seasonal or any other classification which is regularly compensated.

- Elected city officials have the discretion to make their own determination as to the appropriateness of this policy in their official duties.
- While an elected official/candidate is at a political function, campaign event or campaigning for office, meals, gifts, gratuities, entertainment and other contributions may be accepted and are excluded from this policy as they are regulated under Indiana election and campaign finance laws.

Interest: Interest is any direct or indirect monetary or material benefit accruing to a City employee as a result of a contract and/or transaction which is or may be the subject of an official act or action by or with the City (except for such transactions which would confer similar benefits to all other persons and/or property similarly situated).

Interests include:

- Any business entity in which stock or legal beneficial ownership is in excess of one percent (1%) of the total stock, or legal ownership is controlled or owned directly or indirectly by the employee;
- Equity in any business entity in which the City employee is an officer, director, or employee;
- Interest in any person or business entity with whom a contractual relationship exists with the employee; provided that a contractual obligation of less than $500 or a commercially reasonable loan or purchase made in the course of ordinary business shall not be deemed to create a conflict of interest.
- Interest held by a member of an employee's immediate family which meet the criteria set out in the above statements.

Immediate Family: Immediate Family includes spouse, child, parent, parent-in-law, brother, sister, grandparent, son-in-law, daughter-in-law, and grandchildren. Immediate family also includes other persons residing in the employee's residence or who is financially dependent upon the employee.

Contract: For the purposes of this policy, "contract" shall mean any agreement for the sale, lease, purchase, acquisition, or disposal by whatever means, of goods or services by the City.

Gift: A gift is defined as any tangible item of value, any service of value, any purchase at a price lower than that which is widely available, any favor that enhances the employee materially and any hospitality but does not include meals as defined below.

All City employees shall adhere to the highest of ethical standards. Any employee working with public funds, for the public or in the public eye, shall be held to the highest degree of public trust. No employee shall engage in or permit any illegal or improper practice or transaction. Further, any employee having knowledge of any questionable practices shall immediately report this knowledge to Director of Human Resources. Engaging in or permitting unethical and/or

illegal conduct constitutes grounds for disciplinary action, including possible termination of employment, and/or criminal prosecution.

4-1.1 The City requires that its employees adhere to the following principles and standards:

- Give first consideration to the objectives and policies of the City and its taxpayers.
- Strive to obtain the maximum value and quality for every dollar.
- Grant all competitive suppliers' equal consideration insofar as state or federal statute and local ordinances and internal policies permit.
- Conduct business with potential and current suppliers in an atmosphere of good faith, devoid of misrepresentation.
- Demand honesty in all transactions whether offered through the medium of a verbal or written statement, an advertisement, or a sample of the product.
- Accord a prompt and courteous reception to all who call on legitimate business missions.
- Foster fair, ethical, and legal practices.
- Employees will be guided in interpretation of gifts by distinguishing between a gift, gratuity, or favor which has significant monetary value meaning they are offered or accepted in expectation of preferential treatment, and those items which are given simply as an expression of courtesy or to support a charity. Examples of courtesies include: a meal or social event; exchanges of floral offerings or gifts of food to commemorate events such as illness, death, birth, holidays, or promotions with a nominal estimated value of $50 or less.
- Employees should not accept gifts, meals, or other gratuities which exceed a total estimated accumulated value of $250 in one calendar year from any one vendor, supplier, individual or organization. Exceptions to this limit must have the approval of the Mayor.
- Employees shall not accept gifts, meals, or other gratuities during the time in which agreements or contracts are being considered for approval or negotiated for terms.

4-1.2 Purchases for Employees:

- The City shall not acquire goods or services for the personal use of employees with the exception of City marketing material and holiday or birthday items used to promote employee goodwill. Other policies may spell out specific items that the City purchases for the employee to use such as a take home vehicle.
- Those with whom the City does business may extend beneficial pricing privileges to City employees if they have prior approval of the Director of Human Resources ***and*** will extend the beneficial pricing to all employees or some logical grouping of employees. These agreements shall not place the City in the position of taking title to or being responsible for financing such purchases.

4-1.3 Gifts/gratuities:

- Employees shall not solicit personal gift(s) from a supplier or prospective supplier, or any other entity with which the City does business unless the gift or donation is for a charitable or non-profit agency.
- Unsolicited gifts that exceed $50 or more may be accepted by an employee; however, the gifts must be recorded to the City and at times depending on what the gift is shall remain on City property.
- All gifts with an estimated monetary value of $50 or more will be recorded in the office of Human Resources noting a description of the gift, who gave the gift, date of the giving of the gift, and location/use of the gift. This record shall be open to public inspection.
- The acceptance of items of a general advertising nature, i.e. the item must be clearly marked with a company advertising logo is acceptable. Any general advertising item having an

estimated retail value of $50.00 or more must be reported to the office of Human Resources which will maintain a record of the description of the item, who gave the gift, and the date of the giving of the gift. This record shall be open to public inspection.

4-1.4 Meals:

- A meal which occurs in the pursuit of normal day-to-day business is considered a simple courtesy.
- Meals that are a result of business discussions that extend into/during/or beyond working hours are a normal part of doing business.
- Meals that occur when an employee accepts an invitation to visit a supplier's facility and the discussions extend into or beyond normal working hours are also normal parts of doing business.
- All meals of an estimated monetary $50 or more will be recorded in the office of Human Resources noting a description of the meal, who paid for the meal, and the date of the giving of the meal.
- This record shall be open to public inspection.

4-1.5 Entertainment:

- Any entertainment which occurs in the pursuit of normal day-to-day business is considered a simple courtesy as are activities that are a result of business discussions that extend into/during/or beyond working hours are considered a part of doing business.
- Activities that occur when an employee accepts an invitation to visit a supplier's facility and the discussions extend into or beyond normal working hours is also part of normal business relationships.
- Each employee who participates in entertainment exceeding an estimated monetary value of $50 will have event recorded in the office of Human Resources noting a description of the entertainment, who paid for entertainment, date of the entertainment and the purpose of the entertainment.
- This record shall be open to public inspection.
- Invitations to functions of a general nature, rather than specific or individual nature, where the supplier sponsors and pays for clients from multiple businesses or governmental agencies, may be accepted. For example, if a supplier sponsors a training course, seminar, golf outing, sporting event admission or banquet for clients from multiple government entities, then these offers may be accepted.
- However, employees must report all participation to the City Human Resource Department of any event exceeding an estimated monetary value of $50.
- Participation will be recorded and open for public inspection during business hours.
- Any additional offers of hospitality from suppliers such as paid lodging, transportation, etc. shall be declined.

4-1.6 Outside employment:

- An employee must immediately report in writing any outside employment in which the employee engages on their own time outside of their employment with the City.
- Although these outside work activities must be reported in writing to Human Resources on the "**Secondary Employment Notification and Approval Form**", such activities typically are not the City's concern. They become the City's concern if they compromise the City's interests, adversely affect the employee's job performance, and/or negatively impact the City's reputation.
- An employee, for an example, hold any other employment or engage in any personal business, including as an independent contractor that would create an actual or a potential conflict of

interest (or the appearance of a conflict) with their employment here with the City.

- If outside work would involve products, services, or customers similar to those of the City, this could create a conflict of interest. If an employee is contemplating engagement in outside work and are uncertain whether the work would create a conflict of interest or involve a person or entity doing business with the City, the employee must promptly discuss the situation with Human Resources. If outside work is deemed to create a conflict of interest, the employee will be asked to terminate employment and/or be disciplined under the conflict of interest policy.
- Employees will not be permitted to utilize any City equipment whatsoever including but not limited to: safety vests; tools; vehicles; electronic devices and/or any other equipment owned by the City, etc. for use in other employment. The use of City property for other employment opportunities may result in disciplinary action up to and including termination.

Even for outside work that is permissible, an employee should consider whether the demands of that work will interfere in any way with their employment with the City. Outside work will not be considered an excuse for poor job performance, absence, tardiness, leaving early, refusing to travel, or refusing to work overtime or a change of schedule.

4-1.7 Profiteering from public service:

A person who approves, negotiates, or prepares the terms or specifications of a contract or purchase for the City shall not knowingly obtain a financial interest in that contract or purchase for one year after they separate from employment with the city. Any exceptions shall require the approval of the Mayor.

- The City reserves the right to consider as a factor in awarding a contract or bid, the fact that a former employee who worked personally and substantially on the subject matter while a City employee and within twelve (12) months of City employment, that the City employee may have an unfair knowledge of the project or bid. At the option of the City, such involvement may constitute grounds for disqualification of the contract proposal or bid.
- Any employee who knowingly has a pecuniary interest in or derives a profit from a contract or purchase connected with an action by the City has a conflict of interest subject to disclosure.
- If an employee has a conflict of interest, they shall disclose their conflict of interest on the prescribed form in the Human Resource office immediately and shall be on file with the Board of Works.
- If an employee has any questions as to the propriety of the situation, approval to participate should first be obtained with consultation with the Human Resources Office and approval from the Mayor.

Employee and/or citizen should not keep issues or concerns to themselves. They should be communicated, so everyone can work together to address and resolve all accordingly. The City, all of its employees and the citizens will benefit from open communication and commitment resolution.

4-2 GENERAL WORK RULES AND STANDARD OF CONDUCT:

City adopts this policy to ensure orderly operations and to provide the best possible work environment. City expects employees and others who may be engaged to provide services from time to time (such as temporary personnel, consultants and independent contractors) to adhere to these work rules and standards of conduct while on company premises, attending company functions or otherwise performing work-related activity and representing City.

The City hopes that its employees working relationship with the City will be mutually satisfactory. However, employment will continue only so long as employees are satisfied with the City, and the City is satisfied with the employee's performance. City employees are "at will" employees and the City and/or the employee may terminate the employee's employment at any

time for any reason. City is responsible for providing a safe and secure workplace and strives to ensure that all individuals associated with our company are treated in a respectful and fair manner.

- The City expects all employees to follow the City's established policies, procedures, and rules and to act in a professional manner at all times.
- The City also expects employees to perform their assigned duties in an efficient, effective, and competent manner. There may be occasions, however, where employees perform at an unsatisfactory level, violate a City policy, or behave inappropriately. The City will try, when it deems appropriate, to provide the employees with reasonable opportunities to correct deficiencies. However, as previously noted, employment may be terminated at will by the employee or the City at any time with or without cause and without following any system of discipline or warning.
- The City may choose in certain cases to use forms of discipline that are less severe than termination. Examples of such less severe forms of discipline include verbal counseling, written counseling, suspension with or without pay, and probation. (Disciplinary suspensions as to salaried exempt employees will be consistent with the requirements of the FLSA.)
- Additionally, employees may be placed on investigatory leave to allow the City time to review fully the circumstances related to a potential disciplinary matter. Investigatory leave is typically paid and is not disciplinary and will not be reflected in your performance review or in your personnel file although the results of the investigation may lead to documentation in your file.

Because circumstances vary in each case involving possible disciplinary action, each situation will be handled on an individual basis with the severity and frequency of the conduct taken into consideration. Although one or more of the steps described above may be taken in connection with a particular employee, no formal order or system is necessary.

Whenever a disciplinary action is documented, employees will be asked to acknowledge they have reviewed the documentation by signing the original. Signature will not signify agreement with the contents of the document.

It is not possible, however, to provide an exhaustive list of all types of impermissible conduct and performance, and the following are only examples of behaviors that are unacceptable and, if found to exist, can result in disciplinary action up to and including immediate discharge. Employees should, therefore, be aware that conduct not specifically listed below, but which adversely affects or is otherwise detrimental to the interests of the City, other employees or the public may also result in disciplinary action, including discharge.

- **Attendance:** Engaging in a pattern of absenteeism/tardiness/leaving early/taking unauthorized or extended breaks.
- **Confidential Matters:** Discussing or revealing confidential information with individuals outside or within the City who are not authorized to have such information. To assist in this matter, a clean desk policy will be implemented which prohibits employees from keeping unsecured paper files containing any sensitive information relating to city business, city employee, and/or citizen in work area or on a desk that others may be able to access. All areas that contain files to include employee personnel files, city files, etc. will have limited access and anyone to include employees and/or citizens will be escorted while in such areas.
- **Criminal Activity:** Being convicted of or pleading guilty to a crime that reflects unfitness for the job or constitutes a threat to the safety or well-being of the City or its employees, customers, or property or failing immediately to report an arrest, conviction, or guilty plea for any criminal conduct. Arrest for such conduct may also result in an unpaid suspension of job duties or discharge based on the City's independent investigation.
- **Customer, Public, and Co-worker Relations**: Mistreating, abusing, or intimidating citizens, visitors, or other employees; improper interactions or communications with a manager;

mistreating or inappropriate use of property belonging to a customer, co-worker, or the public; or otherwise engaging in conduct that does not support the City's goals and objectives. All communication needs are expected to be done in a courteous and professional manner.

- **Detrimental Behavior:** Unlawful or improper statements about other employees, the City, or employer practices that affect the City's reputation and goodwill or that of other employees.
- **Dishonesty**: Falsifying, altering, or omitting information on an employment application, time record, or any other Employer record; giving false information to management personnel or concealing defective or erroneous work, damage, or other matters that may affect the City's services (excluding matters arising under the National Labor Relations Act).
- **Drugs and Alcohol**: Violating the City's and/or Department of Transportation's Drug and Alcohol Abuse Policy.
- **Equal Employment Opportunity/Anti-Harassment:** Failing to comply with the City's Equal employment Opportunity/Anti-Harassment Policy.
- **Fighting**: Verbal or physical fighting, baiting, or other behavior that instigates fighting or other conduct that violates the City's workplace Violence Policy.
- **Mishandling Employer Property:** Mishandling, misusing, stealing or improperly accounting for Employer money, funds, or property.
- **Insubordination:** Failing to follow or comply with instructions or work orders in a timely manner.
- **Failure to Cooperate:** Failing or refusing to cooperate in an investigation conducted by the City (excluding issues arising under the National Labor Relations Act).
- **Poor Performance:** Failing to produce quality and timely work or meet performance expectations.
- **Safety:** Failing to use equipment, material, and supplies in accordance with Employer policies and practices; violating safety or health rules or practices or engaging in horseplay or other conduct that creates a safety or health hazard.
- **Unauthorized Use of Employer Time/Property**: Using Employer time or property for non-work-related activities such as gambling, soliciting, using the company's electronic communications systems, etc. City owned cell phone and/or computers shall be used for City business and to perform job functions when stated. An employee's access may be revoked or limited when necessary to preserve integrity, confidentiality and availability of City facilities, services, and data.
- **Failing to Remain Alert:** Failing to remain alert at all times while on duty. Sleeping while on duty will result in an automatic termination.

- **Non-Compliance with Laws/Regulations:** Failing to comply with Local, State, and/or Federal laws and/or regulations.
- **Other Policies, Procedures, and Practices**: This manual establishes and implements appropriate, fair and consistent sanctions for employees to follow. Demonstrated competence in the requirements of this manual, policies and procedures is an important part of the responsibilities of every employee. Failure to comply with all policies and procedures established can lead to disciplinary actions up to and including termination.

4-3 COMPLAINT POLICY:

The City strives to be responsive to our employees' concerns. The City understands that problems, misunderstandings and frustrations may arise from time to time. Therefore, we encourage open communication. Any concerns employees have should be promptly reported to

management so that a solution may be devised. To facilitate this, an employee may use the procedure outlined in this section to resolve and/or clarify their concerns/complaints. Such complaints are limited to: suggestions for improvements, concerns about working conditions, issues with co-workers, and/or concerns with treatment at work.

The procedure is as follows:

1. The employee should discuss the situation with their immediate foreman/department head. If the issue involves the employee's foreman, the employee may discuss it with another member of management and/or Director of Human Resources. The foreman and/or other member of management should respond to the employee within five working days of meeting with the employee about this issue.

2. If the issue is not resolved to the mutual satisfaction of the employee and foreman, or if the foreman fails to respond within five (5) working days, the employee may submit a written complaint to the employee's director or department head. The employee may ask Human Resources staff for assistance in writing the complaint. The employee has five (5) working days from when the initial decision was received to submit this second-level complaint.

Upon receipt of the complaint, the director/department head will schedule a meeting with the employee. This meeting with take place within five (5) working days of receiving the complaint. Within five (5) working days of this meeting, the director/department head should issue a decision orally and in writing to the employee.

The written complaint should include:

- An explanation of the incident and the date the incident occurred
- Suggestions for ways to resolve the problem
- A copy of the immediate supervisor's written response or a summary of his or her verbal response and the date when the employee met with the supervisor. If the supervisor provided no response, this should be stated.

3. If the employee is dissatisfied with the decision received through Step 2, they may appeal the decision. Appeals must be submitted, in writing, to Human Resources within five (5) days of receiving the director's/department head's decision.

Human Resources may meet with the parties involved to facilitate a resolution. Human Resources will submit a final resolution to the Mayor for approval. Then, the final decision will be provided to the employee both in writing and orally. Human Resources will provide the employee with the final decision no more than fifteen (15) working days from the date it was received. The decision cannot be appealed beyond this step.

NOTE: All complaints should be made in good faith.

If an employee fails to appeal from one step to the next within the time limit of five (5) working days, the issue will be considered settled based on the last decision provided. City reserves the right to impose disciplinary action for any conduct it considers disruptive or inappropriate. The circumstances of each situation may differ, and the level of management action may vary depending on the factors of the situation. No City employee will be subject to retaliation for filing a complaint under this policy. When a complaint is voiced, management will do its best to remedy the situation. Every employee may not be satisfied with every solution; however, employee input is valued and City wants to foster an environment where all employees feel comfortable reporting their concerns.

4-4 PROGRESSIVE DISCIPLINE FOR NON-CONTRACTUAL:

The City recognizes the right to discipline employees, and agrees to conduct such matters with respect for employee's privacy and will keep all matters as confidential as possible. Disciplinary action will be progressive, except when violation is deemed serious enough to require more immediate action. The City will follow the following principles of progressive discipline:

- Verbal Warning
- Written Warning
- One (1) Day Suspension
- Three (3) Day Suspension
- Termination

When discipline is administered, the employee will sign such only to indicate that they received notification. A copy of all discipline will be forwarded to Human Resources and a copy placed in employee's personnel file.

An employee that receives discipline may grieve the disciplinary action by following the procedure stated in the NON-CONTRACTUAL EMPLOYEE GRIEVANCE POLICY. If the employee fails to comply with the time limits stated in said policy, the disciplinary action stands as is.

4-5 NON-CONTRACTUAL EMPLOYEE GRIEVANCE POLICY:

If you have concerns related to disciplinary action, take the following steps.

- **FIRST STEP:** The employee should discuss the concern(s) with the foreman/department head, who, in most cases, will be able to resolve the situation within three (3) calendar days.
- **SECOND STEP:** If the employee feels the first step did not result in satisfactory resolution of the employee concerns, communication should begin with the Human Resource Department, who will review the disciplinary action and, if necessary, meet with the involved parties to attempt to bring about a mutual understanding and/or acceptable resolution. The communication should be via email and/or in writing within five (5) calendar days of the date the discipline was issued. The communication should include the following:
    - The reason you disagree with the disciplinary action and
    - The facts supporting this reason, including names of others who have information related to the relevant facts and circumstances.
    - In other words, who, what, where, when, how and how often.
- **THIRD STEP:** If the second step does not result in satisfactory resolution and/or the employee is uncomfortable addressing their concerns about the disciplinary action with the Human Resource Department, the employee can bring the concern to the attention of the Mayor, ***in writing***, within ten (10) calendar days of the date the discipline was issued. The Mayor will review the matter and, if necessary, meet with involved parties to address the concern. The Mayors' review of the disciplinary action is final.
    - If an employee is suspended from work for any reason, the employee's benefits, other than insurance, shall not accrue. The employee may retain his/her insurance benefits by paying the full premium (employer's and employee's share) for the period of suspension.

4-6 CONCERNS WITH THE MAYOR'S CONDUCT:

If any employee believes that the Mayor has behaved in any way that is unethical, illegal and/or inconsistent with any specific policy in this handbook, the employee may report their concern in writing within ten (10) days of the circumstances and/or events upon which the report is based to the President of the Common Council. The President of the Common Council will investigate the concerns raised and make recommendation for appropriate action to the Common Council. The Common Council will then review the findings and vote on the recommended action.

4-7 POLITICAL ACTIVITY:

Any employee paid either in whole or in part with federal funds are subject to the provision of the FEDERAL ELECTION CAMPAIGN ACT. No employee paid either in whole or in part with federal funds are eligible to run for office in a partisan election.

City employees are not required to participate, financially and/or otherwise, in any political campaign and/or party activity. This policy includes any threats and/or coercion by elected officials, department heads and/or political party officials.

City facilities shall not be used to display campaign signs and/or literature. City owned/leased vehicles/equipment shall not be used to generate copy, reproduce campaign materials, or distribute such materials. City telephones and/or fax machines shall not be used for above listed purposes.

4-8 DUTY TO REPORT ARRESTS, CONVICTIONS, AND GUILTY PLEAS:

Employees or designated representative are required to notify Human Resources via email, voicemail, or in writing within three (3) calendar days of any arrest, conviction, or entry of a guilty pleas for any criminal offense, and/or immediately upon reporting to work following such arrest, conviction, or plea entry, whichever is earlier. This reporting obligation includes drug or alcohol-related offenses but does not apply to traffic tickets and/or citations, unless the employee has an independent obligation to report under the Take Home Vehicle Policy. The employee and/or designated representative is still required to report even though the employee was on any type of leave. Failure to report under this policy subjects an employee to discipline, up to and including termination.

4-9 MISUSE/THEFT/UNAUTHORIZED USE OF CITY PROPERTY:

The misuse and/or theft of city materials, equipment, and/or property constitutes behavior that will result in disciplinary action/dismissal. Having knowledge of and/or knowingly falsifying reports represents unacceptable conduct that may result in disciplinary action up to and including termination.

4-10 ELECTRONIC COMMUNICATION SYSTEM & RETENTION POLICY:

E-mail, computer, and voice mail systems are the City's property and are intended for business. Personal use must be limited to nonworking time unless management has approved the personal use. Employees have no right of privacy as to any information or files maintained in or on the City's property or transmitted or stored through the City's electronic information systems or other technical resources.

Incidental and occasional use of the City's electronic communication systems for personal use is permitted only when such use does not generate a direct cost to the City including the cost of loss of time during scheduled work hours.

The City strives to maintain a workplace free of harassment and it's sensitive to the diversity of its employees and public. Therefore, the City prohibits the use of its electronic information system in ways that are unlawful, disruptive, offensive to others, or harmful to morale. For example, the display of transmission of images, messages, and cartoons that may offend others because of their sex, race, age, national origin, disability, religion, or any other category protected by law is prohibited. Such misuse includes, but not limited to, ethnic or racial slurs, racial or sexual comments or jokes, or any other communication that shows disrespect for others on the basis of race, religion, age, marital status, veteran status, sex, national origin, disability, sexual

orientation, gender identity, ancestry, familial status, or any other legally protected status.

Employees should remember that when they are using the City's electronic information systems, they are creating documents that belong to the City. These documents are not private and may be read by other employees and, under some circumstances, by others outside the workplace.

Employees should also be aware that even though a message may be deleted from the system, a record of it may remain either on the daily backups of all data or in other ways. It is possible to re-create a "deleted" message. Therefore, ultimate privacy of messages is not assured to anyone.

Under certain circumstances, the City may access information stored in its electronic information systems. While it is impossible to list all of the circumstances under which access may occur, some examples follow:

- During regular maintenance of the system
- When the City has a business need to access the employee's electronic mail or computer files - for example, if the employee is absent from the office and the supervisor has reason to believe that information relevant to the day's business may be located in these files. While electronic systems may accommodate the use of passwords for security, confidentiality is not guaranteed. All passwords must be made known to the Information Technology Manager because we may need to access your files in your absence.
- When the City receives a request to disclose electronic information under state and federal law.
- When the City has reason to believe that employees are using its electronic information systems or other technical resources in violation of the city's policies.

Because the City is sensitive to employees' privacy concerns, it will try to access electronic information systems in a respectful and responsible manner. The Director of Human Resources and the Information Technology Manager are responsible for the implementation and enforcement of this policy.

4-10.1 Network Password:

Passwords will be treated as a sensitive item and not to be shared with anyone else. Each employee must guard his or her personal password allowing use of the city owned computer system. Passwords must be changed every thirty (30) days. All computer systems owned and operated by the City shall utilize a screen saver and be password protected.

4-10.2 Computer Viruses/Unauthorized Software:

You must be extremely cautious to prevent computer viruses from infecting the City's computer, computer network or causing computer system problems. In addition, loading pirated software into the City's computers may create legal liability for the City. Therefore, ***under no circumstances*** may you load unauthorized computer software onto any computer owned or leased by the city. If you wish to load software onto one of the city's computers, whether via disk, USB, CD Rom or from the internet, you must first receive permission from the Information Technology Manager, who may insist on loading the software personally even if permission is granted. Further, you should never open any electronic mail or attachments from unfamiliar sources. All questions concerning computer software, the city's computer network, or computer viruses should be directed to the Information Technology staff.

No computer not owned by the City and not operating using all standard approved city software shall be connected to the City network or shall be used in any capacity on city owned property, except where approved by the Human Resources Department. No computer on city owned property may access or connect to the internet in any fashion without passing through the city network in such a way that internet access, web site retrievals and e-mail transmissions cannot be logged and traced such that offensive material and viruses may be blocked and reported.

Any computer not meeting the above criteria may be removed by the Director of Human

Resources or Information Technology Department to be inspected, and returned to the owner upon request.

If any employee is using the city's electronic information systems to communicate with legal counsel, all messages should be marked with the following capital letters at the top of the message: "Confidential Communication-Attorney Privilege." In addition, such messages should not be sent to a distribution list, should not be forwarded to anyone else, and should not be retained on the system.

Because of the rapidly changing nature of the use of electronic communication systems, this policy cannot address every possible situation. Instead, it expresses the city's philosophy and set forth general principles to be applied to the use of electronic communication systems and other technical resources. This policy may be modified from time to time with appropriate notice.

Violation of this policy may result in disciplinary action up to and including discharge. Employees learning of any use of the city's electronic communication systems, that is inconsistent with the requirements of this policy, must notify the Director of Human Resources, and the Information Technology Manager of such misuse or violation immediately.

4-10.3 Retention Policy:

Email: Messages are similar to other forms of communicated messages such as correspondence, memoranda, and letters. These include non-record (transitory) emails and public record emails.

Non-record or transitory electronic communication: Is considered to have no administrative, legal, fiscal, or archival requirements for their retention. Examples of such non-record electronic communications include the following:

- Personal correspondence not relating to conducting county or city business, such as lunch invitations, unsolicited advertisements, and spam.
- Routine requests for information or publications which require no administrative action, policy decision, or special compilation or research, and copies of replies; originating office copies of letters of transmittal that do not add any information to that contained in the transmitted material.
- Quasi-official notices including memoranda and other records that do not serve as the basis of official actions (i.e., holiday notices, meeting confirmations, etc.).
- Non-email electronic communications including, but not limited to, instant messaging, texting, paging, voice recording, and other electronic communication technologies other than email.

Public Record Email: Includes any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by the city. Examples of emails that may constitute a public record (not confidential) include the following:

- Policies and directives
- Correspondence or memoranda relating to official business (excluding duplicates)
- Agendas and minutes of meetings
- Any document that initiates, authorizes, or completes a business transaction
- Final reports or recommendations

In addition, confidential or partially confidential emails are required to be retained as required by the appropriate retention schedule.

Examples include the following:

- Declared confidential by state statute
- Required to be kept confidential by federal law
- Investigatory records of law enforcement
- Attorney work product
- Personnel file information (except for information that must be disclosed)

- Intra- or interagency deliberative materials, expression of opinion or speculative in nature and communicated for purpose of decision making
- Covered by Indiana Court Administrative Rule 9

Responsibility for Retention: The City is responsible for retaining and archiving all emails sent and received via the city's email system.

- **Mail Attachments:** Attachments shall be retained or disposed of according to the content of the attachment itself based on appropriate retention, not the email which transmits the attachment.
- **Email Archival:** Data in the mailbox will be archived by the city's Information Technology Department.
- **Litigation Proceedings:** Regardless of retention requirements, email and all other electronic correspondence pertaining to threats or actual legal proceedings must be retained until the litigation is finally concluded. It is the responsibility of the department involved, to notify the city's Information Technology Department of the need for the hold on the destruction of electronic communications.
- **Responding to Public Records Request**: It is the responsibility of the department involved, to notify the City Attorney of a public records request. The City Attorney will contact the Information Technology Department for assistance responding to public records requests.
- **Email Accounts When an Employee Leaves Employment:** When an employee is no longer employed with the city it is the responsibility of that department to immediately notify the Information Technology Department. That user's mailbox will be maintained for thirty (30) days unless that former employee's department head requests an extension.
- **Amendments:** The City reserves the right to amend or revise the contents of this policy as deemed suitable. Each employee will be provided with a copy of all amendments and revisions to this policy.
- **Photography and Video Policy:** The City and its departments maintain all rights to photos, videos and recordings taken while acting in the capacity as an employee of the city and as such is subject to use and review by the department head and Human Resources.

Posting images of victims, material of emergency scenes, the interior or exterior of activity by any department employee is prohibited, this includes but is not limited to Face Book, Myspace, You Tube and/or other social media while an employee of the city.

Pictures of city or department operations, equipment and personnel are permissible for purposes of training, historical documentation of a department and improvement of service delivery will be approved by the department head, Human Resources or their designee.

Except in department where investigations are conducted with outside sources, no one will be allowed to record, tape, or video any conversation or activity in any work area without the written permission of the department head, Human Resources or their designee. Videotaping, voice recording, or any other method of recording of employees without the employee knowledge and agreement subjects the employee to immediate termination.

4-11 DRUG-FREE WORKPLACE POLICY:

We recognize alcohol and drug abuse to be potential health, safety and security problems. It is expected that all employees will assist in maintaining a work environment free from the effects of alcohol, drugs or other intoxicating substances. Compliance with the Drug-free Workplace Policy is a condition of employment. Employees, contractual and non-contractual, are prohibited from the

following when reporting for work, while on the job, on City and/or customer premises, surrounding areas or in any vehicle used for City business:

- The unlawful use, possession, transportation, manufacture, sale, dispensation or other distribution of illegal drugs, controlled substances, marijuana, intoxicants (legal or illegal), "look-alike" substances, designer drugs, counterfeit or synthetic drugs, inhalants, and any other drugs or substances that will, in any way, affect safety, work ability, alertness, coordination, judgment, response, or the safety of others on the job
- The unauthorized possession, transportation, manufacture, sale, dispensation or other distribution of alcohol beverages, consuming alcoholic beverages while driving or driving any vehicle for the City or while doing City business is prohibited. The consumption of alcohol on City time or on City property is prohibited.
- Prescription drugs and over-the-counter medications, except under the following conditions:
  (a) The drugs have been prescribed by an authorized medical practitioner for current use (within the past 12 months) for the person in possession of the drugs;
  (b) The drugs/medications, both prescribed and over-the-counter, are limited to a one day's supply, must be kept in their original container and must be taken in accordance with the dosage recommendations and usage cautions and generally must not affect the person's ability to perform work safely. Any employee taking a prescribed medication that is known to have a potential hazardous or non-safe effect and said employee is in such a position that he/she operates any City machinery or vehicles, then that employee must report the use of said medication is his/her department head; and
  (c) The City reserves the right to consult with a medical doctor to determine if a drug or medication, whether prescribed, produces hazardous or non-safe effects and may restrict the use of any such drug or medication accordingly on City property. The City also reserves the right to require an employee to undergo a fitness for duty medical examination by a physician of the City's choosing. This may also include restricting or altering the individual's work activity or presence at the work site.

Any employee violating these prohibitions will be subject to disciplinary action up to and including termination. Any employee convicted under any criminal drug statute for a violation occurring while on the job, on City and/or customer premises or in any vehicle used for City business must notify the City no later than five (5) days after such a conviction. A conviction includes any finding of guilt and/or plea of no contest and/or imposition of a fine, jail sentence or other penalty. Drug and alcohol testing will be carried out in compliance with any applicable local, state and federal laws and regulations.

Disciplinary action will be taken for drug-related crimes, regardless of whether they happened during working hours or on an employee's own time. The City recognizes that employees suffering from alcohol and/or drug dependence can be treated. We encourage any employee to seek professional care and/or counseling prior to any violation of this policy.

Employees are an extremely valuable resource for the City's business. The health and safety of all City employees is a serious concern to all. Drug and/or alcohol use may pose a serious threat to employee and public's health and safety. It is therefore, the policy of the City to prevent substance use and/or abuse from having an adverse effect on City employees or the public. The City maintains that the work environment is safer and more productive without the presence of alcohol, illegal and/or inappropriate drugs in the body or on City property. Furthermore, employees have a right to work in an alcohol and drug-free environment and to work with employees free from the effects of alcohol and drugs. Employees who abuse alcohol or use drugs are a danger to themselves, their coworkers, the public, and the City's assets.

Specifically, it is the policy of the City that the use, sale, purchase, transfer, possession or presence in one's system of any controlled substance (except medically prescribed drugs) by any employee while on City premises, engaged in City business, while operating City equipment, or while under the authority of the City is strictly prohibited. Off-duty conduct of similar nature is also prohibited.

The City of Kokomo's alcohol and drug program administrator designated to monitor, facilitate, and answer questions pertaining to these procedures is the Human Resource Director and/or Assistant Director. The execution and enforcement of this policy will follow set procedures to screen body fluids (urinalysis), conduct breath testing, and/or search all employee applicants for alcohol and drug use, and those employees suspected of violating this policy who are involved in a reportable accident or who are periodically or randomly selected pursuant to these procedures. These procedures are designed not only to detect violations of this policy, but to ensure fairness to each employee. Every effort will be made to maintain the dignity of employees or applicants involved. Disciplinary action will, however, be taken as necessary.

Neither this policy nor any of its terms are intended to create a contract of employment or to contain the terms of any contract of employment. The City retains the sole right to change, amend or modify any term or provision of this policy without notice. This policy supersedes any other policy, memo, or agreement unless stipulated otherwise by collective bargaining agreements(s), law(s), or other mandates.

4-11.2 Prohibited Conduct:

The following shall be considered a prohibited conduct for purposes of this policy:

- No employee shall drive a city vehicle within four (4) hours after using alcohol.
- No employee required to take a post-accident test shall use alcohol for eight (8) hours following the accident or until they undergo a post-accident test, whichever occurs first.
- No employee shall refuse to submit to a post-accident, reasonable suspicion, return-to-duty, or follow-up alcohol or drug test.

4-11.3 Refusal to Test:

Refusal to submit to types of drug and alcohol test employed by the City will be grounds for discipline up to and including termination. A refusal to test would include any of the following situations:

- Failing to appear for any test within a reasonable time after being directed to do so.
- Failing to remain at the testing site unit the testing process is completed.
- Failure to provide a breath sample, saliva sample or urine sample as directed.
- Failure to permit, if the situation requires, the observation or monitoring of providing a urine specimen.
- Failure to provide a urine, breath or saliva specimen with required time frames may be considered a refusal. If an employee cannot provide a sufficient quantity or urine or breath, they will be directed to be evaluated by a physician of the City choice. If the physician cannot find a legitimate medical explanation for the inability to provide a specimen, (either breath or urine), it will be considered a refusal to test.
- Failure to undergo a medical examination or evaluation, as directed by the Medical Review Officer as part of the verification process, or as directed by the City as part of a shy bladder or insufficient breath situation.
- Failing or declining to take a second test as required by this policy.
- Failure to cooperate with any part of the testing process and/or conduct that would obstruct the proper administration of a test.

- A report from the health care facility that you have a verified adulterated or substituted test result.

4-11.4 Types of Tests:

In accordance with this policy, the City has implemented six circumstances for drug and alcohol testing:

1. Pre-employment (drug testing only);
2. Post-accident testing;
3. Reasonable suspicion;
4. Return-to-duty testing;
5. Follow-up testing;
6. Take Home Vehicle; and
7. Random testing of employees in safety-sensitive positions.

4-11.5 Post-Accident Testing:

Following any accident while working for the City or any accident at any time in a City vehicle, the employee must contact their foreman/department head as soon as possible. The employee must submit to a drug and alcohol test any time they are involved in an accident involving:

- A fatality is involved;
- Injury to the public or to the employee which requires emergency treatment;
- Damage to public or private property of any kind;
- Damage to any City vehicle/equipment requiring towing;
- The employee's actions may have contributed or cannot be completely discounted as a contributing factor to an accident; or
- An incident results in a lost time injury.

The City reserves the right to order post-accident test, as it deems appropriate, based on the totality of the circumstance surrounding the accident. Post-accident test may include screens for both drugs and alcohol. The employee shall follow the instructions from the City or its representative to complete required testing.

Any time a post-accident drug or alcohol test is required, it must be performed as soon as practical. If no alcohol test can be made within eight (8) hours, attempts to perform an alcohol test shall cease. If no urine collection can be obtained for the purpose of post-accident drug testing with thirty-two (32) hours, attempts to make such collection shall cease. An employee is prohibited from consuming alcohol between the time of the accident and the test.

In the event that federal, state, or local officials conduct a breath or blood test for the use of alcohol and/or urine tests for the use of controlled substances following an accident, employees must comply with law enforcement personnel requests. The City may request testing documentation from such agencies, and may ask the employee to sign a release allowing the City to obtain such test results.

In the event an employee is so seriously injured that the employee cannot provide a sample of urine, breath or saliva at the time of the accident, the employee must provide necessary authorization for the City to obtain hospital records or other documents that would indicate the presence of controlled substances or alcohol in the employee's system at the time of the accident.

4-11.6 Reasonable Suspicion Testing:

Reasonable suspicion for requiring an employee to submit to drug and/or alcohol testing shall be deemed to exist when an employee manifests physical, behavioral, speech or performance symptoms or reactions commonly attributed to the use of controlled substances or alcohol. A supervisor observing such conditions will take the following actions immediately:

- Keep under direct observation until the situation is resolved.

- Secure the department head's concurrence to observations if feasible.
- After discussing the circumstances with the Department Head (or a Human Resource representative or manager/supervisor) arrangements will be made to observe or talk with the employee. If they believe, after observing or talking to the employee, that the conduct or performance problem could be due to substance abuse, the employee will be immediately required to submit to a breath test or urinalysis. If the employee refuses to submit to testing for any reason, the employee will be informed that continued refusal would result in possible disciplinary actions.
- Employees will be asked to release any evidence relating to the observation for further testing. Failure to comply may subject the employee to subsequent discipline or suspension from all duties. All confiscated evidence will be receipted for with signatures of both the receiving supervisor, as well as the provider.
- The department head shall immediately begin written documentation the particular facts related to the behavior or performance problems that led to the reasonable suspicion test and maintain this documentation in appropriate files.
- The department head shall remove or cause the removal of the employee from the city-owned vehicle or duties and ensure that the employee is transported to an appropriate collection site and thereafter to the employee's residence or, where appropriate, to a place of lodging. Under no circumstance will that employee be allowed to continue to drive a city vehicle or his/her own vehicle until a confirmed negative test result is received.

4-11.7 Return to Duty Testing:

A return to duty test may be required for all City employees at the expense of the employee who have violated this policy (test positive, have an adulterated or substituted specimen or refuse to test). The employee may not return to duty until they pass (tests negative) a drug & alcohol test. The SAP and the City will then make determination that the employee may return to duty.

4-11.8 Follow-up Testing:

Any City employee who has returned to work following a violation of this drug and alcohol policy may be subject to follow-up testing at the employee's expense. At a minimum six follow up tests could be required within the first twelve months following the employee's return to work, and less frequently during the next 4 years.

4-11.9 Urine Collection Procedures:

If an employee is suspected of being under the influence of a controlled substance and has no medical documentation for a prescription, the employee may be referred to a local health care facility for collection of a urine specimen.

4-11.10 Diluted Specimens:

If a specimen is reported diluted by the testing facility, the facility will report this information to the appropriate city personnel. The City policy will require an immediate recollection for another test. The result of this test will stand as the final result.

4-11.11 Alcohol Testing Protocol:

Initial alcohol tests may be conducted by a member of the Kokomo Police Department who is trained to provide a portable screening process. If the tests show a concentration of .02 or higher, further tests may be administered. Further alcohol tests Alcohol tests will be conducted by a trained Breath Alcohol Technician (BAT) or Screening Test Technician (STT). The employee shall report to the alcohol testing site as notified by the City. The employee shall follow all instructions given by the alcohol technician.

If the result of a screening test is a breath alcohol concentration (ABC) of less than 0.02, no further testing is authorized. In the event the confirmation test indicates a BAC of .020 to .039, the employee shall be removed from their duties for twenty-four (24) hours or until his/her next

scheduled on-duty time, whichever is longer. Employees with test indicating a BAC of .04 or greater are considered to have engaged in prohibited conduct, which may result in disciplinary action up to and including termination. All alcohol test shall be performed just prior to, during, or just after the regular working shift.

4-11.12 Disciplinary Procedures:

Once reasonable suspicion has been determined by trained supervisors and concurrence by another supervisor, the employee under suspicion must follow the directions of the supervisor. Refusal to submit to alcohol and/or controlled substance testing as required will be recorded as a positive test, but there will be no second chance given in these instances. Refusal to submit to an alcohol or controlled substance test means that an employee:

- Fails to provide adequate breath for testing without valid medical explanation after They have received notice of the requirement for breath testing in accordance with this policy.
- Fails to provide adequate urine for controlled substance testing without a valid medical explanation after they have received notice of the requirements for testing in accordance with this policy.
    - Engages in conduct that clearly obstructs the testing process.
    - Fails to sign a release for alcohol and drug testing.
    - Fails to report for testing.
- All refusals are considered as refusal to carry out an order of a supervisor and the employee will be terminated.
- Any employee who tests positive for drugs or alcohol and then tests positive again for either drugs or alcohol during their current employment will be considered in violation of this policy and the second chance opportunity.

4-11.13 Consequences of an Alcohol Concentration of 0.02 or Greater & Less than 0.08:

An employee who is tested and the results indicate an alcohol concentration of 0.02 or greater but less than 0.04 will be removed from duty for not less than 24 hours without pay following administration of the test or until the disposition of the discipline is conducted. Discipline can range from a written warning to 1-5 days suspension for the first offense. Any employee who is tested and the results indicate an alcohol concentration of 0.04 or greater but less than 0.08 may be suspended for two (2) weeks (10 working days) without pay or up to and including termination and must be evaluated by a Substance Abuse Professional (SAP) authorized by the City's Employee Assistance Program. The discipline after the first offense will be more severe, up to and including suspension to termination.

4-11.14 Consequences of an Alcohol Concentration of 0.08 or Greater or a Positive Drug Test:

An employee who has tested positive for drugs and the results of the alcohol test indicate an alcohol concentration of 0.08 or greater will be removed from duty with the City and will be suspended pending disciplinary action. Any employee who has failed the drug and alcohol test must be evaluated by a Substance Abuse Professional (SAP) authorized by the City's Employee Assistance Program. Discipline can range from a suspension to termination depending on the severity and circumstances. Employees, who on the first offense have a verified positive may be suspended for up to 90 calendar days without pay. Employees who test positive for drugs may request a second test of the remaining portion of the split sample within 72 hours of notification of a positive result by the Medical Review Officer (MRO). The discipline after the first offense will be more severe, up to and including suspension to termination.

Depending on circumstances, work performance, and department recommendation, it shall be

the City's decision to allow an employee to attend a substance abuse program of the City's choosing and have the opportunity to return to work after successful completion of the program or continued participation in the program for a period to be determined by the SAP and the City. In the event of successful program participation, the City may allow the employee to return to work prior to the end of the 90 calendar days. Cost of program shall be the employee's responsibility.

4-11.15 Substance Abuse Evaluation, Return to Duty, and Follow up Testing:

Any employees who violated the policy will be referred to a substance abuse professional (SAP) through the City's EAP for evaluation. To be able to be returned to duty, the following minimum steps must be completed:

- Complete an evaluation with the SAP
- Complete any rehabilitation and/or education required by the SAP
- Be re-evaluated by the SAP and obtain written confirmation of satisfactory completion of all recommendations.
- Complete a return to duty test that is issued with a negative result (A positive test at this point will result in termination)
- As a condition of continued employment, the employee may be required to submit to a minimum of 6 unannounced follow up tests in the next 12 months after returning to work and/or ordered by SAP.

Follow-up testing is separate from and in addition to the City's reasonable suspicion, post accident, and random testing procedures. No fewer than six (6) tests may be performed in the first twelve (12) months of the follow-up testing. The costs of any SAP evaluation, prescribed treatment and follow-up testing shall be borne by the employee. The employee is required to reimburse the City for the costs of these tests. Failure to reimburse the City could result in termination.

4-11.16 Voluntary Disclosure:

The City encourages personnel to seek help if they feel they have a problem with drug or alcohol misuse before it becomes a matter of discipline with the company. The City will assist any employee who voluntarily discloses to the City that they believe that they have a drug or alcohol problem in seeking professional help to address their problem. This voluntary step of self-identification is the responsibility of the individual, and with the exception of certain condition, will alleviate the requirement for disciplinary action if brought to the City's attention prior to any testing conducted by a service. Upon disclosure of a problem to the City personnel, the employee will be removed from all duties without pay until completion of all steps outlined in Substance Abuse Evaluation section of this policy. The employee will be responsible for all costs associated with this process. If the employee makes no commitment to overcoming the problem and achieving a satisfactory level of performance, attendance, or behavior, then termination of employment will result.

4-11.17 Confidentiality and Release of Information:

Under most circumstances, unless required or authorized by law, will alcohol or drug testing information or results for any employee or applicant be released without written request from the applicable employee.

The City may release information as follows:

- Copies of the results of alcohol or drug testing to an identified person provided the employee has provided written consent.
- Copies of information requested by the Secretary of Transportation, any DOT agency, or any State or local official with regulatory control over the City or any of its employees.

- The results of post-accident testing when requested by the National Transportation Safety Board as part of an accident investigation.
- Legal proceedings to include:
  a. Lawsuits (e.g., wrongful discharge action).
  b. Grievances (e.g., an arbitration concerning disciplinary action taken by the employer).
  c. Administrative proceedings (e.g., an unemployment compensation hearing) brought on by, or on behalf of, an employee and resulting from a positive drug test or alcohol test or a refusal to test (including, but not limited to, adulterated or substituted test results).
  d. Criminal or civil actions - to the decision maker in the proceeding (e.g., the court in the lawsuit).
  e. As required by state law.

Employees are entitled, upon written request, to obtain copies of any records pertaining to their use of alcohol or controlled substances, including any records pertaining to his or her alcohol or controlled substance tests.

Responsibility:

Employee: All City employees are responsible for abiding by this procedure as a condition of their employment.

Management Officials and Supervisors: All supervisors and the City officials are responsible for being alert to employee conduct that raises a reasonable suspicion that an employee is using or is under the influence of alcohol or controlled substances while on duty or otherwise performing City business.

4-12 ANTI - HARASSMENT POLICY:

Harassment: Unwarranted and unwanted verbal or nonverbal conduct which threatens, intimidates, pesters, annoys, or insults another person, where such conduct has the purpose or effect of creating an offensive, intimidating, degrading, or hostile environment, or interferes with or adversely affects a person's work performance.

The City reinforces the commitment to providing a workplace free of inappropriate treatment of any employee because of the employee's race, sex, religion, age, national origin, disability, or any other category protected under federal, state, or local law.

The City does not, however, condone or tolerate any inappropriate conduct that is so severe and pervasive that it unreasonable interferes with an employee's ability to work. It is important to the City that all employees are protected from harassment. Any incidents that are perceived as harassment will be investigated and appropriate action will be taken by City.

Harassment does not include the conduct or actions of supervisors intended to provide employee discipline, such as deficiency notices, performance evaluations, oral warnings, reprimands or other supervisory actions intended to promote positive performance. Given the nature of this type of conduct and the serious effects it potentially can have on the target and the accused, the City treats alleged violation of this policy seriously and, to the extent possible, confidentially. The City expects all individuals to treat alleged violations in the same responsible manner.

Inappropriate conduct may include, among other things:

- Epithets, slurs, stereotyping, or threatening, intimidating, or hostile acts that relate to race, sex, age, religion, national origin, or disability;
- Written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of race, sex, age, religion, national origin, or disability. Unsolicited and unwelcome comments or conduct of a sexual nature or that are demeaning to women or men as a group (for example, offensive or vulgar jokes, name-calling, comments about one's body

or sex life, stereotyping based on a person's sex, touching, leering, ogling, patting, pinching, indecent exposure, physical gestures, or displaying sexually explicit photographs or objects that might interfere with a reasonable person's work);

- Unsolicited and unwelcome demands or requests for sexual favors or social or sexual encounters;
- An explicit or implicit promise of preferential treatment with regard to a person's employment in exchange for sexual favors or sexual activity; and
- The use of an employee's or applicant's submission to or rejection of sexual conduct as the basis for making, influencing, or affecting an employment decision that has an impact upon the terms and conditions of the individual's employment (for example, hiring, firing, promotion, demotion, compensation, benefits, or working conditions).

If an employee believes themselves and/or any other employee is being subjected to conduct or comments that violate this policy, the employee is encouraged to and have a responsibility to immediately report these matters to their department head/supervisor. If for any reason the employee does not feel comfortable reporting their concerns to their department head/foreman, they may report concerns to the Human Resource Department. No action will be taken against any employee because they report behavior believed to violate either of these policies. The City assures all employees that action will be taken to investigate and resolve all complaints. The City is firm in its commitment to maintaining an environment free of discrimination and inappropriate conduct. Any employee who feels they are being retaliated against should contact the Human Resource Director.

Supervisors who become aware of any potential violation of this policy must report the potential violation to the Human Resource Director. Failure to report potential violation may result in appropriate discipline, up to and including discharge.

4-13 SEXUAL HARASSMENT POLICY:

The City prohibits sexual harassment of all kinds. This policy applies not only to employees, but also to clients, customers, guests, vendors and anyone else doing business with City. Any employee who feels that he or she has been a victim of sexual harassment, or who believes that he or she has witnessed sexual harassment, should (if possible) directly and immediately inform the harasser that the conduct is unwelcome and that he or she must stop. The victim should also notify Human Resources immediately.

Sexual harassment: Unwelcome sexual advances, requests for sexual favors, offensive remarks about a person's sex, and other verbal or physical conduct of a sexual nature. Such activities are illegal when:

- Submission is made a term or condition, either explicitly or implicitly, of an individual's employment
- Submission to or rejection by an individual is used as a factor in decisions affecting that individual's employment
- Their purpose or effect interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment

Sexual harassment includes many forms of offensive behavior, including the harassment of a person of the same gender as the harasser. The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker or a non-employee. The victim does not have to be the person harassed but could be anyone affected by the offensive conduct. Examples of sexual harassment include, but are not limited to, the following:

- Unwelcome sexual flirtation, advances or propositions
- Verbal comments related to an individual's gender or sexual orientation

- Explicit or degrading verbal comments about another individual or his or her appearance
- The display of sexually suggestive pictures or objects in any workplace location, including transmission or display via computer
- Any sexually offensive or abusive physical conduct
- The taking of or the refusal to take any personnel action based on an employee's submission to or rejection of sexual overtures
- Displaying cartoons or telling jokes which relate to an individual's gender or sexual orientation

4-14 VIOLENCE IN THE WORKPLACE POLICY:

Workplace Violence: means any written, spoken or physical action that is communicated or perceived as a threat, harassment, abuse, intimidation or personal contact, that produces fear, causes bodily harm or damage to property. Workplace violence may involve family, friends, strangers, co-workers or customers.

It is the intent to provide management and employees with guidance should they encounter a situation they believe may result in violence, and to provide information and training to management and employees to minimize risk of injury or harm resulting from violence in the workplace environment.

Nothing is more important to the City than the safety and security of our employees. We will not tolerate threatening, intimidating, malicious, or violent behavior directed toward employees or other individuals by anyone on the City's property or during work.

The purpose to this policy is to minimize the potential risk of personal injuries to employees or to others and to reduce the possibility of damage to City property in the event someone, for whatever reason, is unhappy with a City decision or with any business or personal action by an employee or member of management.

The City will take decisive and appropriate action in response to inappropriate behavior. This may include, but is not limited to, heightened security, suspension and/or termination of a business relationship, reassignment of job duties, suspension or termination of employment, and/or criminal prosecution of the person(s) involved.

All employees are responsible to immediately notifying their supervisor or the Police Department of any possible violations of this policy or other threats to workplace security that they have experienced, witnessed, or otherwise become aware of. Possible violations include threatening, intimidating, malicious, or violent behavior that is or was job-related or has been or might be carried out on City property. Employees are responsible for reporting this behavior regardless of the relationship between the individual who initiated the inappropriate behavior and the person who was the target of the behavior.

If employees receive or overhear any threatening communications from an employee or outside third party, report it to supervisors at once. Do not engage in either physical or verbal confrontation with a potentially violent individual. If employees encounter an individual who is threatening immediate harm to an employee or anyone else on our premises, contact an emergency agency (such as 911) immediately. Then immediately report the concern to Human Resources or supervisors.

All reports of work-related threats will be kept confidential to the extent possible, investigated, responded to, and documented. Employees are expected to report and participate in an investigation of any suspected or actual cases of workplace violence.

4-15 WORKPLACE BULLYING POLICY:

Bullying: Repeated inappropriate behavior, either direct or indirect, whether verbal, physical, or otherwise, conducted by one or more persons against another or others, at the workplace or in the course of employment.

The City is committed to providing a safe and healthy work environment for all employees. As such, the company will not tolerate bullying of any kind and will deal with complaints accordingly. This policy applies to employees while working, attending work functions and traveling on business.

Bullying can be intentional or unintentional. However, when an allegation of bullying is made, the intention of the alleged bully is irrelevant and will be given no consideration when a complaint is investigated. It is the effect of the behavior that will be considered.

Bullying can be:

- Verbal bullying: slandering, ridiculing or maligning a person or his or her family or associates; persistent name-calling that is hurtful, insulting or humiliating; using a person as the butt of jokes; abusive and offensive remarks.
- Physical bullying: pushing, shoving, kicking, poking, tripping, assaulting or threatening to assault, damaging a person's work area or property.
- Gesture bullying: nonverbal threatening gestures; glances that can convey threatening messages.
- Exclusion: unintentionally disregarding a person or excluding a person from work-related activities.

The following are examples of some, but not all, behavior that may constitute or contribute to evidence of bullying:

- Repeatedly singling out a person.
- Pointing at or raising your voice at an individual, whether in public or private.
- Shutting a person out; not allowing him or her to speak or express him- or herself (ignoring or interrupting); interfering with email or other forms of communication; not including him or her in meetings.
- Humiliation in any form; verbal or obscene gestures, personal insults or offensive nicknames.
- Constant criticism unrelated or minimally related to job performance; public reprimand.
- Hampering an individual's ability to do his or her work; assigning menial tasks not aligned with normal job duties; taking credit for another's work or ideas.
- Spreading rumors or gossiping about another.

Bullying can have devastating results to the individual and the workplace. If you are subjected to bullying, or witness or suspect bullying is taking place, report it to your supervisor and/or to Human Resources immediately. All suspected incidents of bullying will be thoroughly investigated and disciplinary measures will be taken accordingly.

4-16 WEAPONS IN THE WORKPLACE POLICY:

Deadly Weapon: Item that can inflict mortal or great bodily harm

No employee shall possess a deadly weapon in any City building and/or upon the property immediately surrounding such buildings without written permission from their Department Head. Firearms will not be carried on City property without the authorization of the Police Chief. Firearms that are locked in the trunk of an employee's vehicle, in the glove compartment of the employee's locked vehicle or out of plain sight in an employee's locked vehicle are permitted pursuant to I.C. 34-28-7-2.

Any employee who enters any City building or the parcels of property contiguous thereto, consents to a search of their person, possessions or files, by metal detector or other reasonable means. The Police Chief and/or designee shall establish reasonable procedures to carry out the terms and conditions of this policy. The Police Chief, and/or any law enforcement officers, may

detain any person they have reason to believe possesses a deadly weapon in violation of this policy, for a sufficient amount of time to obtain the proper name, address, date of birth, social security number and/or to seize such deadly weapon.

This policy shall not apply to any full-time law enforcement officers employed by a unit of government while on active duty and any other persons who have written permission from the Police Chief or designee to possess a weapon on the property of the City.

Any employee who violates this policy will be subject to disciplinary action, up to and including termination

Employees may not, during working hours on any property owned, leased, or controlled by the City, including anywhere that City business is conducted, such as customer locations, client locations, trade shows, restaurants, company event venues, and so forth, possess and/or use any weapon. Regardless of whether an employee possesses a concealed weapon permit or is allowed by law to possess a weapon, weapons are prohibited on any City property. They are also banned in any location in which the employee represents the City for business purposes, including those listed above.

Weapons that cannot be brought on City property includes, but is not limited to:

- A loaded or unloaded firearm.
- A destructive device, weapon, device, Taser (as defined in I.C. 35-47-8-3) or electronic stun weapon (as defined in I.C. 35-47-8-1), equipment, chemical substance, or other material or item that in the manner it is used, or could ordinarily be used, or is intended to be used, is readily capable of causing serious bodily injury.
- An animal (as defined in I.C. 35-46-3-3) that is:
    - Readily capable of causing serious bodily injury; and
    - Used in the commission or attempted commission of a crime.
- A biological disease, virus, or organism that is capable of causing serious bodily injury.

SECTION 5: BENEFITS

5-1 COBRA BENEFITS:

The City complies with the Consolidated Omnibus Budget Reconciliation Act (COBRA). This federal law gives covered employees (and their dependents) who have lost health benefits the right to continue group health plans for limited periods of time under certain circumstances (called "qualifying events"). All administrative rules and processes as well as changes in plan benefits and premiums apply to those on continuation coverage.

Qualifying events for employees that allow up to eighteen (18) months of benefit continuation:

- Voluntary or involuntary termination of employment for reasons other than gross misconduct
- Reduction in the number of hours of employment

Qualifying events for spouses that allow up to eighteen (18) months of benefit continuation:

- Voluntary or involuntary termination of the covered employee's employment for any reason other than gross misconduct
- Reduction in the hours worked by the covered employee

Qualifying events for spouses that allow up to thirty-six (36) months of benefit continuation:

- Covered employee becoming entitled to Medicare
- Divorce or legal separation of the covered employee
- Death of the covered employee

Qualifying events for dependent children that allow up to eighteen (18) months of benefit continuation:

- Voluntary or involuntary termination of the covered employee's employment for any reason other than gross misconduct
- Reduction in the hours worked by the covered employee

Qualifying events for dependent children that allow up to thirty-six (36) months of benefit continuation:

- Loss of dependent child status under the plan rules
- Covered employee becoming entitled to Medicare
- Divorce or legal separation of the covered employee
- Death of the covered employee

In the event of divorce or legal separation, or the loss of dependent child status under the plan, a covered employee or dependent must notify Human Resources within sixty (60) days to maintain their COBRA rights. Within fourteen (14) days of that notification, Human Resources will provide enrollment materials to the employee and/or covered dependent.

The covered employee or dependent has sixty (60) days from either the date that coverage would ordinarily have ended under the plan due to a qualifying event or the date of notification, whichever comes later, to elect continuation of coverage. Election of coverage is established by completing and returning enrollment materials to Human Resources.

COBRA premiums will be billed by the applicable insurance provider. The first premium will be due within forty-five (45) days of the date of election. Subsequent premiums must be received within the terms set by the provider. Failure to make timely payments will result in termination of coverage without notice.

Continuation coverage will end after eighteen (18) months if the qualifying event was a termination or reduction in hours, unless the qualified beneficiary is disabled at the time of the qualifying event, in which case coverage may extend to twenty-nine (29) months. For all other qualifying events, continuation coverage will end after thirty-six (36) months.

Early termination of COBRA continuation coverage will occur if:

- The City discontinues its insurance plan;

- The qualified beneficiary fails to make a premium payment in a timely fashion; or
- The person who elected continuation of coverage becomes covered under another insurance plan or Medicare.

5-2 EMPLOYER OFFERED INSURANCE:

The City provides group health/Rx, dental and vision insurance plans to all active employees who are normally scheduled to work thirty-two (32) or more hours per week. Details concerning available plans, level of coverage and premium costs are in the benefit information provided during new hire orientation or available from Human Resources.

You have the option of waiving all pre-tax benefits. Should you choose to waive these benefits, you will not have another opportunity to elect them until the next Open Enrollment Period, and any after-tax coverage permitted by the City will be outside the plan. The only exception to this is in the case of a Change in Qualifying Event for an applicable benefit. Some common Change in Qualifying Events include changes in employment status, divorce and marriage. In these circumstances, the election change must be on account of and consistent with the Change in Qualifying Event, as described in the Plan. Health Savings Account (HSA) contribution elections can be changed at any time and for any reason. HSA contribution election changes will become effective no later than the first day of the calendar month after the change request is filed. An employee can only change plan type during Open Enrollment.

As a result of termination, a reduction in work hours or in the event that an employee goes on military leave or takes another extended leave of absence, an employee may be eligible to continue the company's group coverage by paying the monthly premium. More information will be provided when an employee becomes eligible for continuation coverage.

NOTE: Employees are urged to consult the insurance summary plan description for details of the plan benefits. The plan document controls payment of any benefits. Enrollment in group insurance is voluntary. There will be no increase in wages if an employee waives coverage. For inquiries, contact the Human Resources department.

Employees shall be eligible for healthcare benefits as follows:

POLICE: Agreement between the Board of Public Works and Safety and the David Foster Lodge Fraternal Order of Police Effective January 1st 2021, Article XII #2 states the insurance guidelines for the sworn officers and shall begin the date of hire.

FIRE: Agreement between the Kokomo Board of Public Works and Safety and the Professional Firefighters of Kokomo, IN Local 396 effective January 1st 2021, Article XVII shall define the guidelines for all sworn firefighters and shall be eligible for healthcare benefits beginning on the date of hire. Deductions for employee's portion of healthcare benefits will start with the first pay.

AFSCME: Agreement between the Board of Public Works and Safety and the AFSCME Local 2185 effective January 1st 2020, page 27 shall define the guidelines for all sworn AFSCME employees and shall be eligible for healthcare benefits beginning on the first of the second (60 days) month following their date of hire.

Members of AFSCME shall be eligible for healthcare benefits on the first of the month following sixty (60) calendar days of full-time employment. Employees of the AFSCME Union shall begin paying their portion of the healthcare premium four (4) weeks prior to their date of eligibility. Coverage will cease four (4) weeks (at the end of that month) after the employee's last pay following termination or separation from employment.

NON-CONTRACTUAL: Employees who work thirty-two (32) hours or more shall be eligible for healthcare benefits on the first of the month following sixty (60) calendar days of employment. Non-contractual employees shall begin paying their portion of the healthcare premium four (4)

weeks prior to their date of eligibility. Coverage will cease four (4) weeks (at the end of that month) after the employee's last pay following termination or separation from employment.
DEPARTMENT HEADS: Date of eligibility will be determined by the Mayor.

The employee's share of the premium related to this insurance is paid through payroll deduction. If an employee is in an unpaid status for any reason, the employee will be responsible to pay their portion of the healthcare premium directly to the City and/or is responsible for making repayment arrangements in order to remain eligible for healthcare coverage. Certain circumstances may require that an employee pay their portion of the healthcare premium along with the City's portion of the healthcare premium (i.e. extended personal leave of absence or disciplinary suspension without pay). Insurance policies shall be the same for all eligible City employees.

All status changes (such as the birth of a child/adoption/legal guardianship, death, marriage, or divorce) in your health insurance must be reported to Human Resources within thirty (30) days of the event.

5-3 WORKER'S COMPENSATION:

The City provides a comprehensive worker's compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment consistent with state law. Subject to applicable legal requirements, worker's compensation insurance provides benefits after a short waiting period.

Any employee who sustains a work-related injury or illness must immediately inform their supervisor or department head. No matter how minor an on-the-job injury may appear, it is mandatory that it be immediately reported. This will enable an eligible employee to qualify for coverage as quickly as possible. Employees are not allowed to direct their own care for work related injuries. Employees cannot collect both sick leave benefits from the City and worker's compensation benefits for the same period of time. Employees must report any injury on the date the injury occurred.

When an employee sustains a work-related injury and/or illness that requires medical attention but is not serious in nature, the foreman/department head will call HR to advise of an employee injury. HR will then advise where to transport employee based on the extent of the injury/illness. If the injuries received are serious in nature, the employee should be immediately sent to the nearest hospital facility. The foreman/department head will code the employee "RW" in Executime if they go to an Urgent Care Center and/or ER.

Non-serious work-related injuries occurring outside of regular business hours may also receive treatment at the nearest Urgent Care Center and/or hospital emergency room.
Per the Indiana Workman Comp Board:

- If the employee is unable to work on the date that the work-related injury occurs, the employee will be paid by the City for any hours missed on the date that the injury occurred.
- If a qualified medical physician determines that the employee is unable to work due to injury/illness sustained in the work-related accident, then the employee must take their own time for the first five (5) working days (seven (7) calendar days) following the date of the work-related injury/illness (i.e. Paid Time Off; vacation time, personal time; sick time).
- Thereafter, beginning the eighth day of absence due to the work-related injury or illness the employee will be paid by the Work Comp Administrator at the rate of 66 2/3 of their current regular wage.
- After the employee has been off work for twenty-one (21) calendar days, the Work Comp Administrator will then go back and reimburse the employee for the first five (5) working days (seven calendar days) missed.

All applicable forms are available with your department head. Employees should contact Human Resources to obtain information regarding this benefit.

Employees are responsible for their portion of health care premiums which would have normally been deducted from their weekly payroll during any work compensation leave.
Neither the City nor the insurance carrier will be liable for the payment of worker's compensation benefits for off-duty or injuries that occur during an employee's voluntary participation in an off-duty recreational, social or athletic activity sponsored by the City or while performing work related duties for any other employer.

5-4 DOMESTIC PARTNERSHIP POLICY:

The City does not offer Health Insurance or benefits to City Employee's in a domestic partnership.

5-5 EMPLOYMENT TAXES & VOLUNTARY DEDUCTIONS POLICY:

As an employee of the City, you are responsible for paying federal, state and local taxes. This includes income, Social Security and Medicare taxes. These taxes will be automatically withdrawn from each of your paychecks at a rate that is determined by the number of deductions you claim on the W-4 Form.

You are also eligible to receive benefit coverage under the City's current Plan. Should you choose to enroll in the offered benefits program, you will be required to pay a portion of the premium cost. Your total annual contribution cost for the coverage you select will be divided by the number of pay periods in the Plan Year to determine the amount that will be deducted (on a pre-tax basis) from each of your paychecks.

You have the option of waiving all pre-tax benefits. Should you choose to waive these benefits, you will not have another opportunity to elect them until the next Open Enrollment Period, and any after-tax coverage permitted by the City will be outside the plan. The only exception to this is in the case of a Change in Qualifying Event for an applicable benefit. Some common Change in Qualifying Events include but not limited to the following changes in employment status, and divorce and marriage.

In these circumstances, the election change must be on account of and consistent with the Change in Qualifying Event, as described in the Plan. Health Savings Account (HSA) contribution elections can be changed at any time and for any reason. HSA contribution election changes will become effective no later than the first day of the calendar month after the change request is filed.

The employment taxes and voluntary deductions described above will continue to be deducted from your paycheck until changes are made to the number of deductions you claim, or until you change your benefit elections. There is a possibility, however, that your contributions for Medical and Dental Insurance Benefits will be automatically increased or decreased for changes.

5-6 LIGHT DUTY POSITION:

The City does not create permanent light-duty positions. However, in the event an employee is able to return to work following an injury, disability or other medical leave of absence before they are otherwise able to perform the essential functions of the employee's regular position, or the employee has limitations due to pregnancy, the City may offer a temporary light-duty assignment. By definition, such assignments are temporary in nature and are not intended to create a permanent position. Accordingly, employees may only perform such temporary assignments for the lesser of the following periods:

- The employee's ability to return to their regular position (with or without reasonable accommodation);

- The time necessary to complete the temporary assignment; or
- Three months.

If an employee is unable to return to their regular position after three months, such employee may be placed in any vacant position for which they are qualified, with or without reasonable accommodation, consistent with any restrictions imposed by the employee's doctor. If no such position is available, the employee will be returned to or placed on a medical leave of absence. The nature and availability of temporary work assignments will generally fluctuate and will be determined based on the needs and discretion of the City. Employees will be assigned any available temporary work on a first-come, first-served basis.

The City reserves the right to obtain a second opinion from a physician of the City's choosing. The employee must cooperate in this process to be eligible for light duty and any other benefit set forth in this policy manual.

Employees are required to inform all treating physician(s) that the city does in fact have a light duty policy and that light duty work is generally available in most cases. Your physician's failure to address light duty assignments may result in the denial of the employee's request for paid leave.

Any employee who obtains restrictions from a medical provider must abide by those restrictions at all times. Failure to abide by the restrictions may result in disciplinary action up to and including termination.

5-7 PUBLIC EMPLOYEE RETIREMENT FUND (P.E.R.F.):

All full-time City employees (except police and firemen) are covered by a retirement program established and maintained by the State of Indiana's Public Employee Retirement Fund. P.E.R.F. pays benefits to cover workers or their dependents upon retirement, death, or in certain cases of serious illness or injury. An employee must participate from the beginning date of employment. Membership is paid jointly by the City and the employee as per P.E.R.F. regulations. The employee's contributions and accumulated interest credits are refundable when an employee terminates employment prior to being eligible for benefits. PERF's Employer Financed Pension requires ten (10) years of service to become vested, and is paid by the City Based on an employee's length of employment, average salary, retirement option selection and age at retirement. Questions concerning the program should be directed to: Public Employee's Retirement Fund of Indiana, 143 West Market Street, Indianapolis, IN 46204-2899; phone (844)464-6777ask for "Benefits Specialist" or the City Controller's Office.

5-8 CITY'S HEALTHCARE CLINIC:

The City is providing a healthcare clinic for any full-time employee or part-time employee who regularly works over thirty-two (32) hours (along with their dependents) that are presently covered under the City's healthcare insurance plan. The use of the healthcare clinic by City employees and their dependents is optional. Any and all services provided to qualified City employees and their dependents are free of charge. Employees may go to the City's healthcare clinic for appointments during their regular work schedule, however the employee must clock in and out for such appointment. However, the appointment must be for the employee and not for an employee's dependent.

Please note that any services obtained outside of the Healthcare Clinic (i.e. x-rays, MRI's, referrals to other physicians, etc.) will be processed and paid through the employee's Anthem healthcare, and therefore, all deductibles and co-payments will apply. Only those services provided within the walls of the actual Healthcare Clinic are free of charge.

All employees that are presently using the Executime system must clock out/in for their healthcare clinic appointment in the Executime system. The code for the paid time off of appointment and during is "RC". If an employee schedules an appointment during working hours, the employee must obtain prior consent from their foreman/department head prior to attending a healthcare clinic appointment. The City and/or its foreman/department head shall have the right to deny the paid time off an employee to attend an appointment if their appointment time and/or date creates an undue hardship and/or disruption to the services provided within the department, as determined by the department head. Employees that are not on the Executime system are still required to obtain prior consent from their foreman/department head to attend a non-work-related healthcare clinic appointment. If an employee is taking time to take a dependent to the clinic for care, the employee must utilize vacation, PTO, etc. for the time away from work and must get prior approval to take said time.

Any other services (outside of the clinic) that may be needed as a result of an employee's appointment at the clinic (i.e. x-rays, MRI's, referrals to other physicians, etc.) must be covered with the employee's own accrued time (vacation, comp time, etc.) Employees that are receiving paid time off for appointments are expected to go to and from their appointment without delay. Employees will not be compensated for clinic appointments when they are not working or while the employee is already using benefit time (vacation, comp time, etc.) for the day of the appointment.

5-9 FITNESS CENTER:

The Mayor and IUK Chancellor Mark Canada, have collaborated on a plan for the City of Kokomo Employees who wish to use the Cole Fitness Center at IUK for free.

Full-time, Active Employees are eligible***, along with their spouse and any dependents 18 or older. HR needs the following information in order to get you registered.***

Employee Name:
Birthdate:
Emergency Contact along with their Number:

When you check-in to the Fitness Center you will need your Driver's License, which will link your information to your account.

Cole Fitness Center Hours:
Monday – 7:00 am- 8:00 pm
Tuesday – 7:00 am – 10:00 pm
Wednesday – 7:00 am – 8:00 pm
Thursday – 7:00 am – 10:00 pm
Friday – 7:00 am – 7:00 pm
Saturday – 8:00 am – 1:00 pm
Sunday – Closed
Hours are subject to change during Holidays and Semester Breaks.
For more information you may check out the Cole fitness Center at https://kokomo.iu.edu/cole-fitness-center/index.html.

Parking is free, once you are entered in the computer system at the Cole Fitness Center, IUK will work on guest parking passes to avoid any parking tickets.

SECTION 6: TIME AWAY FROM WORK

6-1 ATTENDANCE:

Unscheduled occurrences: An unscheduled occurrence is a full day absence that is not approved in advance by the department head and/or designee.

Absence: an occasion and/or period of being away from work

6-1.1 Absences relating to all employees (full-time, part-time, & seasonal/temporary):

To allow employees a reasonable amount of absences, the City will use the following no-fault attendance system:

- Every employee is expected to arrive and be ready to begin their work day at the start of their shift as predetermined by the department head. Failure to be on time and ready to begin the work day may result in disciplinary action up to and including termination.
- Each time an employee cannot report for their scheduled shift, they must contact their foreman/department head to inform them of such absence, no later two (2) hours prior to the start of the employee's scheduled shift.
- Employees who fail to make notification of their absence prior to two (2) hours of the beginning of their shift may receive a disciplinary action up to and including termination.
- An unscheduled absence is defined as failure to prearrange an absence with the department head or their designee.

6-1.2 Tardiness relating to all employees (full-time, part-time, & seasonal/temporary):

- Vacation allotments will not be utilized to cover periods of tardiness. It will be at the discretion of the foreman/department head to allow make up time or to dock the employee's pay for the tardiness.
- Each time an employee cannot report to work at their designated start time but will report to work after that designated start time, they must notify their supervisor and/or designee of their tardiness and their estimated arrival time.

6-1.3 Absences in excess of three (3) work days may qualify the employee for the Sick and Accident benefit under the policy:

Employees absent three (3) or more consecutive days due to illness requires the employee to provide documentation verifying the employee is unable to work and shall be required to submit a physician's statement indicating they are able to return to work. A physician's statement does not excuse any occurrence of absence but serves to prevent fraudulent extended occurrences of absence. (Example: If an employee is off work for four (4) consecutive days because of the flu and has notified their supervisor accordingly and supplies a physician's statement, this absence will count as one (1) occurrence.)

The following absences, with proper notification, are excluded from this policy:

- Absences covered by the City's Bereavement policy. The City will evaluate on a case-by-case basis the circumstances of other relatives.
- Off work due to a work-related injury with medical verification that the employee is unable to work.
- Off work due to jury duty, military leave, Sick and Accident Policy, family leave, subpoenas, or any other absence expressly authorized by the City of Kokomo or the law.
- Leaving work after reporting without prior arrangement is considered an absence regardless of cause. Such absences will be dealt with by the Department Head.

  Prearrangement of time off should be completed so the foreman/department head may include

such on the department schedule. Notification for time off shall be made prior to end of shift the day prior to be considered scheduled or a predetermined time established by the foreman/department head.

- All employees must utilize sick or accident, vacation time, comp time or other accrued time off benefits when they are unable to work as scheduled. Absences occurring without having accrued time off to cover said absence (i.e. vacation, comp time, etc.) may result in disciplinary action up to and including termination if the employee fails to obtain prior approval for said absence from his/her department head or designee.
- If it becomes apparent that an employee has established a pattern of excessive absenteeism and/or tardiness, and there is no improvement on the employee's part to correct this problem, then the employee will be subject to disciplinary action up to and including termination.

The Director of Human Resources for the City, may make an exception only in extreme cases involving absence that cannot be excluded by a leave of absence. Any unpaid absence must be pre-approved by the employee's department head.

6-2 VACATION/PERSONAL TIME/SICK TIME/COMP TIME:

The City believes that vacation time is vital in keeping employee morale high and alleviate an employee's work-related stress thus increasing productivity when they return. The City will provide vacation pay and hours to all employees who are eligible after their probationary period has been completed.

6-2.1 Vacation Time:

All employees including administrative personnel must enter their paid time off request(s) including vacation time, personal time, sick and comp time in the electronic time keeping system and approved by the employee's foreman/department head through the electronic time keeping system. Foreman/department head will be responsible for entering employee's sick time.

When entering requests for vacation, personal, comp time, etc. into the electronic time keeping system, employees are to only enter actual workdays for which they will be absent.

For eligible employees, vacation entitlement will be based upon years of continuous service as follows:

YEARS of Full Time Continuous Service	Vacation Entitlement
New Employee hired after Jan 1st	Vacation will be prorated at 6.67 hours per month
0 year but less than 2 years	80 Hours
2 years but less than 7 years	120 Hours
7 years but less than 12 years	160 Hours
12 years but less than 20 years	200 Hours
20 years or more	240 Hours

General Rules:

- Vacation that has not been taken within the year earned will be forfeited unless otherwise approved by Director of Human Resources and/or Mayor.
- Up to 40 hours of vacation time may be rolled into the following year only if approved by employee's foreman/department head and only if extenuating circumstances arose which prohibit employee from taking said vacation hours. Final approval from Director of Human Resources and/or Mayor and must be used by March 1 of the following year.
- All hours (vacation, bereavement, holiday) worked will be counted in determining eligibility, overtime, and/or compensation time.

- Vacation may be taken in any increment at a time that is approved by foreman/department head if the employee has the available time.
- Depending on employee's leave time their future accrual of paid sick & accident, vacation leave and/or comp time may be reduced.
- An employee that transfers to another department within the City, may be required to change their vacation to accommodate the needs of the employee's new department.

Key employees designated by the Mayor will follow additional guidelines:

YEARS of Full Time Continuous Service	Vacation Entitlement
New Employee hired after Jan 1st	Vacation will be prorated at 13 hours per month
90 days to 7 years	4 Weeks
8 years to 12 years	5 Weeks
13 years or more	6 Weeks

General Rules:

- Vacation may be taken in any increment at a time that is approved by the Mayor if the Key employee has the available time.
- Up to forty (40) hours of vacation time may be rolled into the following year only if approved by the Mayor and/or Human Resource Director if extenuating circumstances arose which prohibit the Key Employee from taking said vacation hours and must be used by March 1 of the following year.
- Key Employees may cash in lieu of 40 hours of unused Vacation Time at the end of the year if approved by the Mayor and/or Human Resource Director. (Contact HR for cash in lieu of vacation form)

Scheduling:

- The number of employees allowed on vacation at any one time will be established by the applicable foreman/department head and the following will be taken into consideration:
    - Number of employees in the department and/or classification
    - Seniority will determine who gets designated days for vacation if two or more employees are requesting the same days
    - Availability of employees for relief
    - Number of employees qualified for replacement

NOTE: Notwithstanding above, the City will approve not more than 10% of the department employees who have requested vacation at one time.

Conversion from Contractual to Non-Contractual/Non-Contractual to Contractual:

- PTO, Comp and vacation days must be used within the year that they converted
- No freezing of time and/or rolling over will be allowed

6-2.2 Sick & Accident Pay Plan:

Eligibility:

- An employee must be a full time non-contractual and their seniority is equal to or in excess of six (6) months or more.
- Absences from work due to illness and/or accident are not considered time worked for the purpose of determining vacation eligibility, calculation of overtime and/or compensatory time.
- An employee must immediately report their absence and the cause of the absence to department head and Human Resources upon determination that the employee is unable to work and/or the City is unable to accommodate the restrictions provided. In the event that immediate notice to department head and Human Resources is not practicable, the employee must provide notice as soon as reasonable.

- The employee must provide the City with a detailed written determination from their physician that states the employee's absence was due to illness/injury that prohibited the employee from working and will be subject to confirmation from a physician and/or clinic that the City retains the right to select.
- An employee who cannot work regular position and/or light duty position pursuant to the City's policies, as explained by the employee's treating physician.
- The City reserves the right to obtain a second opinion from a physician of the City's choosing. The employee must cooperate in this process to be eligible to receive payment under the sick/accident policy.
- An employee may take vacation/personal days for the first three days of absence while the employee's application under Sick & Accident Pay is pending.

Employees who abuse the City's sick and accident leave policy by failing to abide by a physician's restrictions justifying leave will be subject to discipline up to and including termination of employment and retroactive classification of paid leave as unpaid leave. In the event that the City retroactively classifies paid sick leave as unpaid leave, the City may, with respect to a current employee,

- Deduct the amount of leave from employee's accrued sick & accident, vacation leave and/or comp time; or
- Depending on employee's leave time their future accrual of paid sick & accident, vacation leave and/or comp time may be reduced; or
- Utilize any combination of options listed above to recover the reclassified leave, in addition to other disciplinary action. The City will provide the employee with written prior notice of reclassification. For former employees, the City may notify the individual of its intent to deduct the reclassified leave from any accrued sick & accident or vacation leave scheduled to be paid upon termination of employment or pursue legal remedies against the former employee to obtain payment of the reclassified leave.

Conditions of Payment:

Paid leave under this policy are made only to employees whose absence is due to a non-work-related illness or injury, the employee has provided the City with sufficiently detailed physician's recommended restrictions, and the City is unable to accommodate the restrictions through a light duty assignment.

Illness or injury due to a work-related incident shall continue under the City's Workers Compensation Plan.

No payments will be made for:

- Any period of incapacity during which the employee is not under treatment by a licensed practicing physician, except where an illness or injury occurs during a time where the doctor is not available during a weekend as example;
- Any intentionally self-inflicted injury;
- Accident or illness while on leave of absence;
- The first three (3) business days of illness or injury;
- Any restrictions from an injury or illness that allow a light duty assignment under the City's policies;
- Absences in excess of three (3) calendar days will be paid for on the basis of absence for days which normally would have been worked had the employee performed his/her regular schedule of work;
- If an employee is on vacation and illness or injury occurs, the three day (3) waiting period commences as of the date illness began; however, payments will not start until the end of the vacation period; or

- If the employee has not begun scheduled vacation and becomes eligible for payments under this plan, vacation may be rescheduled and payments will be made under this plan.

Amount of Benefits:

- Following the three day (3) waiting period, payments for absence due to certified non-occupational illness or injury will be made as follows based on an employee's corresponding and consecutive time of employment with the City:

Time of Employment	Benefits Per Calendar Year
Over 6 months but less than 2 years	10 Weeks
Over 2 years but less than 5 years	12 Weeks
Over 5 years but less than 10 years	22 Weeks
10 years or more	26 Weeks

- The City will pay 85% of the employee's weekly earnings for each week of eligibility.
- The above schedule is based upon the regular weekly rate earned.

6-2.3 PERSONAL TIME:

Beginning on January 1, 2024, each non-contractual employee will be granted three (3) days off each year to be used for personal time. Such time off may be requested in advance and as early as possible. Such days will not accrue from year to year nor be part of any termination pay settlement. In the case of a new non-contractual employee hired during the 3rd quarter of the year, the new hire will receive personal days January 1, of the following year.

6-3 CONTAGIOUS ILLNESS POLICY:

The City realizes that employees with contagious temporary illnesses, such as influenza, colds and other viruses, need to continue with normal life activities, including working. However, we also seek to maintain a healthy workplace for our employees and customers.

In deciding whether an employee with an apparently short-term contagious illness may continue to work, the City considers several factors. The employee must be able to perform normal job duties and meet regular performance standards.

In the judgment of the City, the employee's continued presence must pose no risk to the health of the employee, other employees or customers. If an employee disputes the City's determination that a risk exists, the employee must submit a statement from their attending health care provider that the employee's continued employment poses no risk to the employee, other employees and/or citizens.

Foreman/department heads are encouraged to remind employees that City provides paid leave to cover absences due to contagious temporary illness. If an employee has exhausted all of their paid leave, the employee may be eligible for an unpaid leave. All employees are urged to contact Human Resources with questions about the possible contagious nature of another employee's temporary illness.

6-4 COMMUNICABLE DISEASE POLICY:

A communicable disease is a disease that can be transmitted from one individual to another via:

- direct physical contact,
- the air (cough, sneeze or inhaled particle),
- through a transmission vehicle (either ingested or injected) or
- through a vector (animals or insects).

Examples of some of the most common communicable diseases include measles, influenza, viral hepatitis-A (infectious hepatitis), viral hepatitis-B (serum hepatitis), human immunodeficiency virus (HIV), AIDS, AIDS-related complex (ARC), leprosy, Severe Acute Respiratory Syndrome

(SARS) and tuberculosis (TB). This definition may be broadened in accordance with the recommendations and information provided from the Centers for Disease Control and Prevention (CDC).

The City will make decisions involving those with communicable diseases based on medical information concerning the disease in question, the risks of transmission to others, symptoms and any special circumstances of the individuals involved. The City will weigh potential risks and available alternatives before making any decisions.

6-4.1 Reporting Procedure:

Those employees who demonstrate signs or symptoms of a communicable disease that poses a credible threat of transmission in the City workplace should report that potential infection or disease immediately to the Human Resources department. The employee is then responsible for keeping the City informed of their condition that may require extended care, missed work, etc. The employee may also be required to provide written documentation from a physician to return to the worksite.

6-4.2 Hiring and Employment:

The City will not discriminate against job applicants or employees with a communicable disease. These individuals will not be denied access to the worksite solely because they have a communicable disease, but may be excluded from company facilities, programs and functions if the City determines that restriction is necessary to protect the welfare of the infected individual or the welfare of others.

The City will comply with all applicable statutes that protect the privacy of individuals with communicable diseases. Abuse of this policy will result in disciplinary action up to and including termination. The City reserves the right to revise this policy without notice during changing pandemic conditions.

6-5 PANDEMIC/EPIDEMIC LEAVE POLICY (i.e. flu/COVID):

In the event of a pandemic/epidemic outbreak, as declared by City of Kokomo management, in conjunction with the Centers for Disease Control and Prevention and/or Howard County Department of Health following Pandemic/Epidemic Leave policy applies to all employees, including temporary and non-benefit eligible.

6-5.1 Positive Test:

Employees who test positive for pandemic/epidemic outbreak shall notify their immediate department head/supervisor as soon as practicable. Thereafter, employees may be eligible under the Sick and Accident pay plan. This includes a one (1) calendar day unpaid waiting period for eligible non-contractual and AFSCME employees in which an employee may use vacation days, personal days, or "banked" days. After the waiting period, an employee may receive 85% of the employee's applicable earnings for the duration of their absence from work. Employees may use vacation days, personal days, or "banked" sick days for 100% of pay in lieu of the 85% rate. The Human Resource department must have documentation showing the positive results.

- **Contact HR for COVID-19 SOP updates.**

6-5.2 Suspected Infection and/or Exposure

Employees who have been directly exposed to pandemic/epidemic outbreak shall notify their immediate department head/supervisor as soon as practicable. If directly exposed, the Human Resource Department must have documentation of the direct exposure which it may approve or deny in its sole discretion. The Human Resource Department will provide regulations, guidelines, and quarantine periods to each department to give to employees thereafter.

Employees will have the following options during the time period they are quarantined:

- If approved by the employee's department head/supervisor, the employee may work remotely for the duration of the quarantine period with full pay.

- If the employee cannot work remotely, Human Resources will determine whether the employee is eligible for the previously determined 85% rate for up to and, not exceeding seven (7) working days which shall become active after one (1) calendar day unpaid waiting period in which an employee may use vacation, personal, or "banked" days for full pay. Human Resources will determine whether said employee is eligible based upon the following criteria:
    - Whether the direct exposure occurred while the employee was working;
    - Whether the employee received notification from a governmental or health agency, such as the Howard County Health Department, doctor, and/or hospital;
    - Whether sufficient documentation or evidence of the direct exposure is provided by the employee to the Human Resources Department.

Human Resources reserves the right to make payment of the 85% rate contingent upon the employee being tested for the pandemic outbreak approximately five (5) calendar days after the direct exposure. Employees may use vacation days, personal days or "banked" sick days for 100% of pay in lieu of the 85% rate during the quarantine period.

This policy in its entirety applies to full-time and permanent part-time employees. The 85% rate for permanent part-time employees shall be calculated by the average number of hours the employee worked over the two immediately preceding pay periods.

NOTE: This policy is subject to change with or without notice dependent upon the pandemic/epidemic and the guidelines set forth by federal, state, and local guidelines.

6-6 FAMILY & MEDICAL LEAVE POLICY:

As a City employee, you may be eligible to take unpaid family and medical leave under the federal Family and Medical Leave Act (FMLA). This policy provides an introduction to the rights and provisions of the federal FMLA. If you have questions regarding the FMLA, please contact Human Resources.

6-6.1 Eligibility:

To be eligible for leave, you must have been employed by the City for at least twelve (12) months. In the twelve (12) months immediately preceding the beginning of the leave, you must also have worked at least 1,250 hours to qualify for federal FMLA. In addition, you must work in an office or work site where 50 or more employees are employed within 75 miles of that office or work site. Eligible employees may take up to a total of 12 weeks of FMLA leave within a rolling 12-month period, measured backward from the date an employee uses any FMLA leave.

Where leave is taken to care for a covered service member with a serious injury or illness, a spouse, child, parent or next of kin may take up to 26 weeks of unpaid FMLA leave during a single 12-month period. Eligible employees are limited to a total of 26 workweeks of FMLA-protected leave during that 12-month period. For example, an employee cannot take 26 workweeks of FMLA leave to care for a covered service member and then take 12 more weeks for other FMLA qualifying reasons.

Under the federal FMLA, spouses employed by the City are jointly entitled to a combined total of 12 weeks of leave for the birth of a newborn child, for the placement of a child for adoption or foster care and to care for a parent who has a serious health condition. The federal FMLA does not cover care for parents-in-law. Spouses employed by the Company are jointly entitled to a combined total of 26 weeks of leave to care for a covered service member.

6-6.2 Types of Leave Available:

- *Birth or Placement for Adoption or Foster Care*: FMLA leave is available to eligible male and female employees for the birth of a child or for the placement of a child with the employee for purposes of adoption or foster care. FMLA leave must be completed within 12 months of the birth

or placement. This type of leave may not be taken intermittently or on a reduced schedule unless the Company agrees to this request. See below for more details on non-continuous leave.

- *Serious Health Condition of Employee*: If, as an eligible employee, you experience a serious health condition as defined by the FMLA, you may take medical leave under this policy
  - A serious health condition generally occurs when you:
  - Receive inpatient care in a hospital, hospice or nursing home
  - Suffer a period of incapacity accompanied by continuing outpatient treatment or care by a health care provider
  - Have a history of a chronic condition that may cause episodes of incapacity
  - The following provisions apply to leave for the serious health condition of an employee:
    - *Non-continuous leave*—Medical leave may be taken all at once or, when medically necessary, intermittently or on a reduced leave schedule (see below).
    - *Certification process*—The need for leave must be documented by your treating health care provider through our medical certification process (see below).
    - *Fitness-for-duty statement*—A fitness-for-duty statement will be required in order for you to return from a medical leave. Failure to provide the statement will result in a delay in your return to work.
- *Serious Health Condition of Immediate Family Member*: If, as an eligible employee, you need family leave in order to care for your child, spouse or parent who experiences a serious health condition as defined by the FMLA (see "Definitions" for definitions of child, spouse, parent and serious health condition), you may take a leave under this policy.
- *Non-continuous leave*—Leave may be taken all at once or, when medically necessary, intermittently or on a reduced leave schedule (see below).
- *Certification process*—The need for leave must be documented by the family member's treating health care provider through our medical certification process (see below).
- *Qualifying Exigency Because of Active Duty*: If, as an eligible employee, you need family leave because of any qualifying exigency arising out of the fact that your spouse, son, daughter or parent is on covered active duty in the Armed Forces (including the National Guard or Reserves), or has been notified that he or she will be called or ordered to covered active duty in the Armed Forces (including the National Guard or Reserves), you may take family leave under this policy. The leave may also be extended to the family members of certain retired military. (See "Definitions" for a definition of qualifying exigency).
- *Non-continuous leave*— Family leave for any qualifying exigency arising out of the covered active duty of a family member may be taken all at once, intermittently or on a reduced leave schedule (see below).
- *Certification process*—The need for leave must be documented through our certification process (see below).
- *Service Member Family Leave*: If, as an eligible employee, you need family leave to care for a covered service member who is your spouse, child, parent or next of kin and who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status or is otherwise on the temporary disability retired list for a serious injury or illness, you may take up to 26 weeks of unpaid leave during a single 12-month period under this policy. (See "Definitions" for a definition of covered service member and serious injury or illness).

  An eligible employee may take service member family leave to care for a covered veteran who is the employee's spouse, child, parent or next of kin and who is undergoing medical treatment, recuperation or therapy for a serious injury or illness. (See "Definitions" for a definition of covered veteran)
- *Non-continuous leave*—Service member family leave may be taken all at once or, when medically necessary, intermittently or on a reduced leave schedule (see below).

- *Certification process*—The need for leave must be documented by the family member's treating health care provider through our medical certification process (see below).

6-6.3 Notifying the City of the Need for Family or Medical Leave:

Generally, an application for leave must be completed for all leave taken under this policy. A non-emergency leave should generally be requested from Human Resources at least 30 days, or as soon as practical, in advance of the date the leave is expected to begin. In cases of emergency, you (or your representative, if you are incapacitated) should give verbal notice as soon as possible, and the application form should be completed as soon as practical. Failure to provide adequate notice may, in the case of foreseeable leave, result in a delay or denial of leave. It is your responsibility to notify your manager and Human Resources of absences that may be covered by the FMLA.

You must provide sufficient information regarding the reason for an absence for the Company to know that protection may exist under this policy. Failure to provide this information will result in delay or forfeiture of rights under this policy. This means the absence may then be counted against your record for purposes of discipline for attendance or similar matters.

6-6.4 Medical Certification Process:

In addition to an application for leave, you will be required to complete a medical certification form when leave is for a family member's or your own serious health condition. The certification form needs to be signed by the health care provider. The short-term disability certification may be sufficient where the information required is duplicative. These forms are available from Human Resources. Second or third certifications from health care providers and periodic recertification at the Company's or your expense may be required under certain circumstances.

We may also require periodic reports during federal FMLA leave regarding your status and intent to return to work.

6-6.5 Military Family Leave Certifications:

If you are eligible and your spouse, son, daughter, or parent is on active-duty or is called to active-duty status in the National Guard or Reserves in support of a contingency operation, you may use your 12-week FMLA leave entitlement during a rolling 12-month period to address certain qualifying exigencies. Examples of qualifying exigencies include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

If you are eligible, you may take up to 26 weeks of leave to care for a covered service member during a single 12-month period beginning on the first day of leave. A covered service member is a current member of the Armed forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty or active duty that may render the service member medically unfit to perform their duties for which the service member is undergoing medical treatment, recuperation, or therapy; of is in outpatient status; or is on the temporary disability retired list. As an eligible employee, you are entitled to a combined total of 26 weeks of leave to care for a service member and any other type of FMLA leave.

In addition to an application for leave, you will be required to complete a Certification of Qualifying Exigency for Military Family Leave form when leave is for a qualifying exigency. A copy of the military member's active duty orders or other military documentation may also be required to substantiate your need for FMLA leave.

If you request leave to care for a covered service member with a serious injury or illness, you will be required to complete a medical certification form, which must be signed by the service member's health care provider. The certification form will request additional information, such as

information regarding the relationship between you and the covered service member, to substantiate your need for FMLA leave.

6-6.6 Substituting Paid Leave for Unpaid Leave:

You are not required to use your FMLA in one block. When medically necessary, leave may be taken on an intermittent or reduced schedule basis. Leave due to qualifying exigencies may also be taken on an intermittent or reduced schedule basis. You must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the City's operations.

You may choose, or the City may require you, to use accrued paid leave and/or compensatory time off while taking FMLA leave where applicable. An employee on paid medical leave, occupational or non-occupational, such leaves will run concurrent with FMLA.

6-6.7 Benefit Continuation during Leave:

All group health benefits (i.e. major medical, hospitalization, and dental) will continue during FMLA leave on the same conditions as if you had been continuously employed, provided that you had such coverage prior to the FMLA leave. If FMLA leave is paid leave (substituted or otherwise), you will pay your share of health plan premiums by the method normally used during paid leave (i.e. payroll deduction) and the City will pay its share of health plan premiums. If FMLA leave is unpaid leave, payment of your share of health plan premiums will be due at the same time as it would be if by payroll deduction. You must make arrangements to pay your portion of the premiums through the City's Human Resource Department. The City's obligation to maintain your health insurance coverage may cease if any of your premium payments are more than 30 days late. If you fail to return to work at the end of your FMLA leave (other than for circumstances beyond your control), you may be required by the City to reimburse the City that portion of health plan premiums paid by the City during your leave.

Upon return from FMLA leave, you will be reinstated to your original job, or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment. In addition, your use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of your leave.

6-6.8 Employee Responsibilities:

You must provide 30 days advance of the need to take FMLA leave when the need for leave is foreseeable. When 30 days' notice is not possible, you must provide notice as soon as practicable and must comply with the City's normal call-in procedures.

You must provide sufficient information for the City to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that you are unable to perform your job functions; the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave.

You also must inform the City if the required leave is for a reason for which FMLA leave was previously taken or certified.

In addition, you must provide the City with a completed certification form supporting the need for leave within 15 days or receiving the blank certification form from the City. If you fail to provide the completed certification to the City in a timely manner, you may lose your entitlement to FMLA leave for the absence. Recertification may be required, if leave is due to your own serious health condition, you must provide a fitness-for-duty certificate prior to returning to work.

6-6.9 Employer Responsibilities:

Upon requesting FMLA leave, the City will inform the employee whether they are eligible under the FMLA. If the employee is eligible, the City will also inform the employee of any additional information that will be required in order to qualify for leave and will provide you with

a copy of this policy. If you are not eligible, the City will provide you with the reason for the ineligibility.

One it is determined that you are eligible for FMLA and you have provided the City with the appropriate certification, the City will inform you of whether your leave is begin designated as FMLA-protected, including the amount of leave that will be counted against your leave entitlement.

6-6.10 Rights upon Return from Leave:

The law provides that an employee on leave has no greater rights than the employee would have had if the employee had continued to work. Therefore, you may be affected by a layoff, termination or other job change if the action would have occurred had you remained actively at work.

6-6.11 Enforcement:

The FMLA prohibits employers (1) from interfering with, restraining, or denying the exercise of any right provided under the FMLA and (2) from discharging or discriminating against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA. Complaints may be addressed through the U.S> Department of Labor ("DOL") or private litigation. The FMLA does not affect any Federal or State law prohibiting discrimination or supersede any State of local law or collective bargaining agreement which provides greater family or medical leave rights. Pursuant to section 109 of FMLA, the City has posted the DOL's "Employee Rights and Responsibilities" notice. Regulation 29 C.F.R. § 825.300(a) may require additional disclosures.

6-6.12 Definitions:

Spouse: A husband or wife as defined or recognized under state law for purposes of marriage in the state in which the marriage was entered into. This definition also includes an individual in a same-sex or common law marriage that was entered into in a state that recognizes these marriages. An opposite-sex, same-sex or common law marriage that was entered into outside of any state will be recognized if the marriage is valid in the place where it was entered into and the marriage could have been entered into in at least one state.

Parent: A biological parent, adoptive parent, stepparent, foster parent or an individual who provides or provided day-to-day care or financial support to the child. Parent does not include a parent-in-law under this law.

Child: A biological, adopted or foster child, stepchild, legal ward or a child who is receiving day-to-day care or financial support from the employee and is under the age of 18. Child also includes a person 18 years of age or older who is incapable of self-care because of a mental or physical disability. For military family leave, the child does not have to be a minor (under the age of 18) and can be of any age.

- "Incapable of self-care"—The child requires active assistance or supervision to provide daily self-care in three or more "activities of daily living," or "instrumental activities of daily living," including adaptive activities such as caring appropriately for one's grooming and hygiene, bathing, dressing, eating or instrumental activities such as shopping, taking public transportation or maintaining a residence.
- "Physical or mental disability"—A physical or mental impairment that substantially limits one or more major life activities of the individual.

Covered Service Member: A member of the armed forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status or is otherwise on the temporary disability retired list for a serious injury or illness.

Covered Veteran: An individual who is undergoing medical treatment, recuperation or therapy for a serious injury or illness and who was a member of the Armed Forces (including a member of the

National Guard or Reserves), and was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran.

Next of Kin: Used with respect to an individual, this means the nearest blood relative of that individual, other than the spouse, parent or child.

Serious Health Condition: Illness, injury, impairment, or physical or mental condition that involves:

- Inpatient care in a hospital, hospice or residential medical care facility.
- A period of incapacity of more than three consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition) that also involves: 1) treatment two or more times within thirty (30) days of the first day of incapacity, unless extenuating circumstances exist, by or under the orders of a health care provider; or 2) treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of a health care provider. The first (or only) visit must occur in person within seven days of the first day of incapacity.
- Any incapacity due to pregnancy or for prenatal care.
- Chronic conditions requiring periodic treatment by or under the supervision of a health care provider, which continue over an extended period of time and may cause an episodic rather than a continuing period of incapacity (for example, asthma, diabetes and epilepsy).
- Permanent or long-term conditions requiring supervision for which treatment may not be effective (for example, Alzheimer's, a severe stroke or the terminal stages of a disease).
- Multiple treatments by or under the supervision of 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 calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy), severe arthritis (physical therapy) or kidney disease (dialysis).

Serious Health Condition can be:

- In the case of a member of the Armed Forces, including a member of the National Guard or Reserves, an injury or illness incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank or rating.
- In the case of a veteran who was a member of the Armed Forces, including a member of the National Guard or Reserves, an injury or illness incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran and is:
    - A continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member's office, grade, rank or rating;
    - A physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for service member family leave;
    - A physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or
    - An injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

Qualifying exigency includes:

- Short-notice deployment (seven days or less)
- Military events and related activities
- Childcare and school activities
- Financial and legal arrangements
- Counseling
- Rest and recuperation (up to 15 days)
- Post-deployment activities
- Parental care
- Additional activities agreed to by the Company and the employee

6-7 FUNERAL LEAVE POLICY

To be eligible for paid time off a full time employee must meet the following guidelines after successful completion of the probationary period:

- An employee must notify their supervisor of the death in the family as soon as possible and request a bereavement leave;
- The employee **must attend the funeral or memorial services** of the deceased **and provide proof of the same his/her payroll clerk prior to receiving this paid benefit**. Proof should consist of written documentation directly from the service provider verifying your attendance. Payroll Clerks shall forward verification to the Controller's Office; and
- Bereavement leave pay may be reduced or withdrawn if it is found that the employee has abused these benefits. Additional discipline up to and including termination may be imposed if it is found that the employee filed a fraudulent claim for bereavement benefits.

  Employees will receive the following leave:
  - Up to three (3) days paid leave upon the death of an employee's spouse, brother, sister, child, mother, mother-in-law, father, father-in-law, or any family member residing in the same household.
  - Up to two (2) days of paid leave upon the death of the employee's grandparent, great-grandparent; daughter-in-law, son-in-law, stepparent, grandchild, or stepchild.
  - May receive one (1) day of paid leave upon the death of an employee's brother-in-law, sister-in-law, aunt, uncle, niece, nephew, cousin, spouse's grandparents, or step-sibling

Vacation can be utilized with the supervisors' approval if further time off is necessary. Excluded from this listing are any former relatives or former in-laws of the employee. Employees will be paid only for days lost from their regular schedule. Bereavement days must be used consecutively

6-8 JURY DUTY POLICY:

Any regular full-time employee of the City will receive leave to serve on a jury or as a subpoenaed witness in any state, federal, or local court without loss of pay. The employee will receive his/her regular pay for that day. The employee will then be required to sign the check which he/she receives from the Court over to the City.

If employees are required to appear in court in the line of duty (job related reasons) during a scheduled day off or beyond regularly scheduled work hours, the employee will be paid and will be compensated for hours beyond regular work hours.

If serving or appearing in court by an employee will be detrimental to the public service because of the loss of services of the employee, it will be the responsibility of the City to seek exemption from duty for the employee.

Employees are to return to work after jury duty although no more than the regularly scheduled number of hours for both jury duty and work shall be required. If excused as a juror on any given day, the employee is expected to contact their supervisor and to report to work as instructed.

While it is the duty of every citizen to serve on a jury when called, the City recognizes that this often means the loss of income. The City provides jury duty leave to eligible employees in compliance with federal and state laws. The City pays the difference between the jury pay and regular wages for days when you are unable to report to work because of jury service, assuming you have been employed by the Company for at least 90 days prior. If state law requires a different arrangement, The City will comply with state law. Questions regarding the Company's jury duty leave policy should be directed to Human Resources.

The above statement applies provided that you:

- Show your supervisor your summons to serve on a jury prior to the time that you are scheduled to serve
- Furnish your supervisor with evidence of having served on a jury for the time claimed

Jury absence will be noted on your time sheet or time card. Time spent on jury duty will not be counted as hours worked for the purpose of computing overtime pay. Regular wages are paid until jury pay is received. Jury pay is then deducted from your regular wages.

This benefit cannot be applied to any court appearance other than jury duty unless such appearance is related to your employment.

6-9 MILITARY LEAVE POLICY:

The purpose of this policy is to provide guidance on the use of military leave for members of the armed forces (reserve or active). When there is any conflict with this policy and City of Kokomo Ordinance #6209 and #6210, the ordinances shall be followed.

Gross Supplementary Benefit: The monetary difference between the amount shown as base salary on the members Leave and Earnings statement and the aggregate amount shown as regular salary for the member in the record of the City Controller.

Net Supplementary Benefit: The monetary amount remaining after all deductions are made from the gross supplementary benefit.

Reserve Component: The Indiana National guard, or any of military reserve elements of the naval, air, or ground forces of the United States.

Member: Any employee of the City of Kokomo carried on the muster roll of a reserve component and who is subject to call up to active duty in the event of mobilization.

Mobilization: A declaration of national or state emergency by the President of the United States or the Governor of Indiana resulting in the activation of reserve components.

Mobilization orders: Orders received by the member ordering the member to active duty as part of a military mobilization.

Leave and Earnings Statement: The military pay stub issued by the military to the member evidencing the members' military earnings.

Supplementary Benefit: The monetary difference between the figure shown as base salary on the members' Leave and Earnings Statement and the figure shown as regular salary on the city's payroll records for the same period of time.

Designated Representative: Individual, designated on the member's current military Power of Attorney, as being authorized to act on the members' behalf during period of the members' active service.

Any employee who is a member of the active reserves of the Armed Forces or the National Guard will be entitled to a leave of absence without loss of pay for not more than fifteen (15)

calendar days annually. The supplementary benefit provided under this policy is intended to supplement the income of members called to active service as part of a mobilization. It specifically does not apply to periods of military training in excess of fifteen (15) days in a calendar year where no mobilization orders have been issued. To receive such leave, the employee must bring his notification papers upon receipt to his/her supervisor.

Military leaves beyond fifteen (15) days will be administered as a leave of absence similar to other such leaves. In order to be eligible for the continuation of municipal pay and benefits, the individual must be a full-time employee of the City and the member must have received mobilization orders to report for active duty as the result of a mobilization ordered by the Governor of the State of Indiana, or the President of the United States.

Supplementary benefits shall commence when the employee has exhausted a period of fifteen (15) consecutive or non-consecutive days in any calendar year for military training. In the event the members' period of active duty extends into a succeeding calendar year, supplementary benefits under this ordinance shall cease until such time as the member has exhausted a similar period of fifteen (15) calendar days of military training for such succeeding calendar year, at which time benefits under this ordinance shall recommence.

Nothing in this policy shall be construed as having any effect on the members' entitlement to accrued time off. A member does not need to exhaust all accrued time off as a precondition to entitlement to the benefit(s) provided. Employees will continue to accrue time off until the members' demobilization.

The City shall continue to pay the employee's health and life insurance premiums during the period of the members' active duty. The employee shall be entitled to a supplementary benefit equal to the monetary difference between the amount shown as base salary on the employees' Leave and Earnings Statement and the aggregate amount shown as regular salary for the employee in the records of the City Controller.

The individual designated on the employees' military Power of Attorney shall present to the Office of the City Controller a copy of the employees' military Power of Attorney and the employees' military Leave and Earnings Statement for each pay period indicated.

See Ordinance #6209 and #6210 for the amendment for additional details.

NOTE: Should a special circumstance arise, in regards to an employee who serves in the military, which is not covered by this policy, any deviation from this policy requires the approval of the Mayor and Director of Human Resources

6-10 NON-FMLA LEAVE POLICY:

If you have completed eight (8) weeks of continuous employment with the City, but are not eligible for FMLA leave, then you may still be entitled to a leave of absence for your own serious health condition, up to a total of twelve (12) work weeks during any rolling 12-month period. The City does retain the right in its discretion to approve or deny your leave, to limit its duration, and to make exceptions on a case-by-case basis. However, the City does not guarantee your reinstatement to any position upon your return from leave. The City will in its discretion endeavor to place you in your former position or in a position comparable in status and pay, subject to, among other considerations, budgetary restrictions, the City's need to fill vacancies, and the ability of the City to find qualified temporary replacements.

For the duration of a Non-FMLA Medical leave of absence, an employee's benefits, other than insurance, shall not accrue or be used. An employee may retain his/her insurance benefits by paying the full premium (employer's and employee's share) for a period not to exceed the length of approved leave

To be granted a Non-FMLA Medical Leave, you must provide the Human Resource Department appropriate medical documentation confirming that you are medically unable to work

and estimating the length of the absence. The City of Kokomo reserves the right to (a) ask you the status of any medical condition, (b) required that you provide medical evidence from your health care provider or from a health care provider of the City's choice concerning any medical condition, (c) deny a request for medical leave or a required for renewal if it determines, from the medical evidence, that you are able to perform your work, and (d) place or continue you on medical leave if the City determines, from the medical evidence, that you are not able to perform the essential function(s) for your job with or without reasonable accommodation.

It is your obligation to notify the Human Resource Department at least five working days prior to the expiration of a medical leave, whether you will return to work or whether you need a renewed medical leave.

6-11 PERSONAL LEAVE OF ABSENCE:

The City, at its discretion, may grant an unpaid personal leave of absence upon an employee's written request to the department head after the employee has used all earned paid time off. A request for a leave of absence must clearly state the reason for the leave and the amount of time requested. Requests will be granted only for urgent and exceptional circumstances, and personal leave cannot be used to extend an FMLA or a medical leave of absence. Personal leaves of absences will be granted in one-week increments and will not exceed six months during a rolling 12-month period. A "rolling" 12-month period is measured backward for each employee from the date he uses personal leave.

At the City's discretion, upon written request to the department head made at least three working days before the expiration of the initial approved personal leave, a personal leave may be extended, but in no event will personal leave be extended beyond six months in a rolling 12-month period.

For the duration of an extended leave of absence, an employee's benefits, other than insurance, shall not accrue or be used. An employee may retain their insurance benefits by paying the full premium (employer's and employee's share) for a period not to exceed the length of approved leave.

At the conclusion of a personal leave of more than six months, you will be considered for return to work on the basis of your qualifications, prior performance, and the City's then current business and personnel needs. Failure to return to work at the end of a personal leave or the unavailability of a position if you have a leave of more than six months will result in the administrative termination of your employment.

Employees on leave from their employment with the City, either paid or unpaid, shall not be permitted to perform any other type of work whatsoever with any other entities, including but not limited to private contractual work, during their leave period that would be in violation per the Conflict of Interest Policy. Employees who accept employment elsewhere, except as approved by the City in advance of the leave, or who fail to return to work on the date agreed upon are considered to have voluntarily resigned.

NOTE: Modification and/or changes may be made to this City of Kokomo Employee Manual with or without notice, upon approval of the Mayor and Director of Human Resources.

The above City of Kokomo Employee Manual is hereby ADOPTED and APPROVED by the undersigned Mayor and Director of Human Resources on the day and year written below and retroactive to January 1st, 2021. Revised on January 24, 2025.

/s/ Tyler O. Moore _____ 1/24/2025 _____

Tyler O. Moore – Mayor Date

/s/ Sarah Spencer _____ 1/24/2025 _____

Sarah Spencer - Director of Human Resources Date

GENERAL HANDBOOK ACKNOWLEDGMENT

This Employee Manual is an important document intended to help employees become acquainted with the City of Kokomo. This document is intended to provide guidelines and general descriptions only; it is not the final word in all cases. Individual circumstances may call for individual attention.

Because the City of Kokomo operations may change, the content of this Manual may be changed at any time, with or without notice, in an individual case or generally, at the sole discretion of management.

Please read the following statements and sign below to indicate your receipt and acknowledgement of this employee manual:

- ***I have received a copy of the City of Kokomo Employee Manual. I understand that the policies, rules and benefits described in it are subject to change at the sole discretion of the City at any time.***
- ***I further understand that my employment is terminable at will, either by employee or the City, with or without cause or notice, regardless of the length of employment or the granting of benefits of any kind.***
- ***I understand that no representative of the City of Kokomo other than the Mayor and/or Director of Human Resource may alter "at will" status and any such modification must be in a signed writing.***
- ***I understand that my signature below indicates that I have read and understand the above statements and that I have read and received training on the City of Kokomo Employee Handbook.***
- ***I understand I can go to the City of Kokomo's webpage at www.cityofkokomo.org to read and review the City of Kokomo Employee Handbook &Policies.***
- ***I understand that I may go to the Human Resources Department (City Hall, 3rd floor) to receive a copy of the Employee Handbook & Policies.***

Employee's Printed Name: _____
Employee's Signature: _____
Employee's Department: _____
Date: _____

The signed original copy of this acknowledgement should be given to Human Resources and filed in employee's personnel file.

Witness Printed Name: _____
Witness Signature: _____
Date: _____

Revision History

Rev	Page(s)	Revision History	Rev Date	Author	Approval	Approval
					Human Resource	Mayor
0		Updated, created new format and added sections that City currently did not have	04/23/2021	ARK	SS	TM
1	83	Vacation increment amount from 2 hours to any increment	07/07/2021	ARK	SS	TM
2	10	Updated/Revised—1-5 Termination Policy, #5	11/15/2021	SAS	SS	TM
3	79	Updated PERF's contact number	12/02/2021	SAS	SS	TM
4	86-87	Updated Pandemic/Epidemic leave policy	01/13/2022	SAS	SS	TM
5	19	Updated non-contractual called in to work, minimum of 3 hrs.	02/02/2022	SAS	SS	TM
6	13-15	Updated/corrected Department times	12/07/2022	SAS	SS	TM
7	76	Changed locations for WC—Urgent Care Center	12/07/2022	SAS	SS	TM
8	83	Clarified policy/procedure on vacation time that may be rolled over the following year.	12/07/2022	SAS	SS	TM
9	83	Clarified policy/procedure for KEY Employees vacation time that may be cashed in and/or rolled over the following year.	12/07/2022	SAS	SS	TM
10	77	Clarified Domestic Partnership Policy	01/27/2023	SAS	SS	TM
11	83	Clarified Sick & Accident Plan for Continuation	01/27/2023	SAS	SS	TM
12	98	Addition to Employee Handbook Acknowledgment Form	01/27/2023	SAS	SS	TM
13	85	Personal Days for Non-Contractual Employees	09/22/2023	SAS	SS	TM
14	13	1-11 Holidays: Bullet #2, Non-Contractual Holiday Pay	07/12/2024	SAS	SS	TM
15	18-19	2-2 Overtime: Bullet #7, Non-Contractual Holiday Pay	07/12/2024	SAS	SS	TM
16	19	2-3 Compensatory Time: Bullet #9, Non-Contractual Holiday Pay	07/12/2024	SAS	SS	TM

Revision History

Rev	Page(s)	Revision History	Rev Date	Author	Approval Human Resource	Approval Mayor
17	23&24	Revised reimbursement rates for Employee meals.	1/24/25	SAS	SS	TM
18	24	Gas Mileage reimbursement established State of IN rate	1/24/25	SAS	SS	TM
19	79	Fitness Center	1/24/25	SAS	SS	TM
20	80&81	General Rules/reduced leave time	1/24/25	SAS	SS	TM



APPENDIX – FORMS
JANUARY 2021

RECORD OF GIFTS, GRATUITIES, MEALS & ENTERTAINMENT RECEIVED

NAME:	
DATE:	
DEPARTMENT:	
DESCRIPTION of ITEM(S) RECEIVED:	
NAME OF PERSON/COMPANY GIFT CAME FROM:	
DATE RECEIVED:	ESTIMATED VALUE OF GIFT:
PRESENT LOCATION OF GIFT:	
LOCATION THAT GIFT WILL BE KEPT AND/OR USED:	
IF TIME DATED, DATE ITEM IS TO BE USED:	
LIST NAME OF PERSON(S) BESIDE YOU THAT WILL USE OR COULD USE GIFT: EMPLOYEE: _____ DEPARTMENT: _____ EMPLOYEE: _____ DEPARTMENT: _____ EMPLOYEE: _____ DEPARTMENT: _____ EMPLOYEE: _____ DEPARTMENT: _____ EMPLOYEE: _____ DEPARTMENT: _____	
If annual total exceeds $250, approval from the Mayor must be noted here: _____ _____ MAYOR - TYLER O. MOORE DATE	
Return this form to Human Resource Department within 5 Days of receiving gift(s)	



SECONDARY EMPLOYMENT NOTIFICATION & APPROVAL

EMPLOYEE NAME: _____ **DEPARTMENT:** _____

Name and address of Outside Employment:

_____
_____
_____

This employment will involve my working as a _____with said Company. The normal hours of work will typically begin at _____ (AM/PM) and end at _____ (AM/PM) which will not interfere with my employment with the City.

The duties of this position will require me to perform:

_____
_____
_____

List any similarities to position that you hold with City:

_____
_____
_____

Anticipated Length of Other Employment: _____

In accordance with Section 4-1.6 I am providing this notice prior to engaging in such employment and am requesting approval.

Approved/Denied by:
Department Head: _____Date: _____20___
Human Resource: _____Date: _____20___

If denied please state reasoning below:

_____
_____
_____

PAYROLL DEDUCTION FOR TAKE HOME VEHICLES

I will utilize the City vehicle assigned to me as a take home vehicle. I authorize the Controller's Office to begin payroll deduction from my check effective the next payroll period. Failure to notify the Controller's Office of a change if I return to not utilizing a take home vehicle will result in no reimbursement of this deduction. I will use the take home vehicle only while performing city duties. I understand that all accidents must be reported immediately.
I authorize the following deduction:

_____Live within the City boundaries	$15.00 per week
_____Live in Howard County, but outside of City boundaries	$20.00 per week
_____Live outside Howard County	$25.00 per week

PAYROLL CANCELLATION FOR TAKE HOME VEHICLES

Effective date _____, I will no longer be utilizing the City vehicle assigned to me as a take home vehicle. I will drive my private vehicle to and from work and will use the City vehicle only during normal work hours. I authorize the Controller's Office to stop the take home vehicle deduction on my payroll check effective the next payroll period. Failure to notify the Controller's Office of a change, if I return to utilizing a take home vehicle may result in disciplinary action.
Please stop the following deduction:

_____Live within the City boundaries	$15.00 per week
_____Live in Howard County, but outside of City boundaries	$20.00 per week
_____Live outside Howard County	$25.00 per week

_____ _____
Signature of Employee Print Name

_____ _____
Today's Date Department

_____ _____
Signature of Department Head Date

RETURN FORM TO HUMAN RESOURCES DEPARTMENT

DISCIPLINARY ACTION for NON-CONTRACTUAL

Date: _____ Department: _____

Employee Name: _____

_____Verbal Warning
_____Written Warning
_____One (1) Day Suspension: Beginning _____Return to Work Date: _____
_____Three (3) Day Suspension: Beginning _____ Ending_____
Return to Work Date: _____
_____Dismissal - Last Day of Work: _____

Nature of circumstances: _____
_____
_____
_____
_____
_____

Corrective action to be taken:
_____
_____
_____
_____

Employee Comments (optional):
_____
_____
_____
_____

Signature does not mean agreement with discipline, only that the Employee has acknowledged the discipline.

_____ _____
Employee Signature Date Supervisor Date

The Employee receives a COPY and the original is kept in personnel file located in Human Resource Department

REQUEST FOR INSPECTION OF PUBLIC RECORDS

NAME		**PHONE**	
ADDRESS	**Description of Information Requested**		
RECEIVED BY:			
DATE		**TIME**	
FOR OFFICE USE ONLY			
APPROVED ☐	**DENIED** ☐		
APPROVED/DENIED BY WHOM:			
TITLE:			
DATE		**TIME**	
DENIAL REASON:			
DATE OF INSPECTION:			
WITNESS OF INSPECTION:			
TIME OUT		**TIME RETURNED**	
WAS FILES RETURNED INTACT: **YES** ☐ **NO** ☐			
IF NOT INTACT, WHY:			
For each page copied, a charge of twenty-five (25) cents per page shall be incurred. Payment is due in advance and/or on receipt of information.			
NUMBER OF COPIES REQUESTED:			
NUMBER OF PAGES:			
Signature of person receiving information:			
Signature of person verifying receipt of information:			

STATUATORY REFERENCE I.C. 5-14-3-3

TRAVEL REIMBERSEMENT CHECK LIST

All reimbursements for travel must be according to HR Policy 2-6.

- ❑ Completed "Authorization for Travel" form signed by the appropriate Department Head and the Director of Operations prior to completing travel reservations
- ❑ Completed "Accounts Payable Voucher" signed by the Department Head, or his/her designate as well as the Director of Operations
- ❑ Completed Travel Voucher form signed by the Department Head, or his/her designate
- ❑ Proof of registration for the conference
- ❑ Agenda for the conference or training, including documentation of meals provided
- ❑ Confirmation of attendance (ex. Certificate of Completion)
- ❑ Detailed hotel receipts including the dates of check in and out, as well as any specific room charges (movies, room service, etc. will not be paid by the City)
- ❑ If flying to training, you must provide the following:
  - Receipt of payment for airline ticket
  - Schedule of flight times (to and from)
  - Boarding passes for flights (to and from)
  - Receipt of payment for any extra baggage charges (for employee only)
  - Receipt for any transportation costs from airport to hotel and vice-versa
  - MapQuest (or similar) showing number of miles to and from airport (if employee took his/her personal vehicle when city vehicle was unavailable)
  - Receipt of payment for parking for duration of training
- ❑ If driving to training, you must provide the following:
  - MapQuest (or similar) showing number of miles to and from training
  - Departure and arrival times
  - Receipt of payment for any toll charges

AUTHORIZATION FOR TRAVEL

This form must be completed prior to registration for training, booking of flight and/or hotel rooms. Per HR Policy 2-6, the Director of Human Resources and/or Mayor must approve these estimated expenses prior to any bookings.

EMPLOYEE NAME	
DEPARTMENT	
CONFERENCE/TRAINING REQUESTED:	
LOCATION OF TRAINING:	
PURPOSE OF TRAINING:	
DATE(S) OF CONFERENCE/TRAINING	
ESTIMATED MILEAGE EXPENSE to/from TRAINING/AIRPORT	
ESTIMATED FLIGHT EXPENSE (Include @ least two options for flight times)	
ESTIMATED HOTEL EXPENSE	
ESTIMATED PER DIEM	
TOTAL ESTIMATED COST OF TRIP	
APPROVED ☐	**DENIED** ☐
SIGNATURE OF DEPARTMENT HEAD:	
DATE	
SIGNATURE OF DIRECTOR OF HR:	
DATE	

REQUEST FOR EDUCATIONAL ASSISTANCE

EMPLOYEE NAME	
DEPARTMENT	
NAME OF EDUCATIONAL INSTITUTION:	

COURSE(S) IN WHICH EMPLOYEE IS SEEKING REIMBURSEMENT	
COURSE NAME	**DATE COURSE WILL BEGIN AND END**
1.	
2.	
3.	
4.	
5.	
6.	
7.	
Attach proof of registration for each course listed.	

I have been provided with a copy of the Educational Assistance Policy for the City of Kokomo. I understand that if this request is approved, and upon completion of the course(s), I must provide to the Human Resource Director the documentation verifying the grade in which I received for each course. I must also provide the documentation verifying that the courses were paid from my own resources in order to be eligible for reimbursement.

SIGNATURE OF EMPLOYEE:	
DATE:	
SIGNATURE OF DEPARTMENT HEAD/FOREMAN:	
DATE:	
SIGNATURE OF HUMAN RESOURCES:	
DATE:	