



PERSONNEL POLICY MANUAL



AMMON PERSONNEL POLICY MANUAL

This policy establishes a safe, efficient and cooperative working environment, establishes the responsibilities and level of performance expected of all City employees and explains certain benefits provided to City employees.

The policies and benefit offerings outlined in this policy are subject to change at any time, without prior notice to, and consent of, city employees. Changes may be made in the sole discretion of the City Council.

All employees of the City are At-Will and are employed at the discretion of the Mayor and City Council and will have no right to continued employment or employment benefits, except as may be agreed to in writing and expressly approved by the City Council. This personnel policy is not a contract of employment and is not intended to specify the duration of employment or limit the reasons for which an employee may be discharged. All provisions of this Policy will be interpreted in a manner consistent with this paragraph. In the event of any irreconcilable inconsistencies, the terms of this paragraph will prevail. Only a written contract expressly authorized by the City Council can alter the at-will nature of employment by the City, notwithstanding anything said by an Elected Official or supervisor.

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MISSION STATEMENT

To serve the public interest by proactively meeting the present and future needs of the community in a fiscally responsible manner. Through leadership, education, public input, and organized planning efforts, we will maintain respect for our history, conserve our resources for the future, promote equality, and enhance the family friendly community of Ammon.

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GENERAL POLICIES

A. INTRODUCTION TO PUBLIC EMPLOYMENT

Working for the City of Ammon, hereafter referred to as 'the City', may be somewhat different from any employer for which you may have worked in the past. The City is a political subdivision of the State of Idaho, though it is not a part of state government. The City Council, hereafter referred to as 'the Council', serves as the governing entity for the City, carrying out local legislative duties and fulfilling other obligations. Only the Council has authority to establish general policy for employees, including terms and conditions of employment. The Council also appoints personnel to help carry out its administrative responsibilities.

Each employee should recognize that although he/she may serve as an employee in the office of an elected or appointed official, he/she remains an employee of the City, not of the official who supervises his/her work. The terms and conditions set forth in this policy, and in the resolutions and policy statements which support it, cannot be superseded by any other official's commitment, without the express written agreement of the Council or Mayor. That is particularly true for terms or conditions which would establish a financial obligation for the City, now or in the future. It is important that all employees understand the relationship between policy adopted by the Council and department policy implemented by other officials.

The terms set forth in this booklet reflect City policy at the time of its printing, and are subject to change at any time, without prior notice, and at the sole discretion of the Council.

As with all elected public officials, the Council is ultimately responsible to the voters of the City.

B. EQUAL EMPLOYMENT OPPORTUNITY STATEMENT

All selection of City employees and all employment decisions, including classification, transfer, discipline, and discharge, shall be made without regard to race, color, religion, gender, age, national origin, sexual orientation, veteran status, non-job related disability, or any other characteristic protected by applicable law. No job or class of jobs will be closed to any individual except where a mental or physical attribute, gender, or age is a bona fide occupational qualification. It is the policy of the City to comply in all respects with the Americans with Disabilities Act. All objections to application of the City's policy, in this regard, shall be brought to the attention of the Mayor, or in the case of objection to actions undertaken by the Mayor, to legal counsel for the City.

C. VETERAN'S PREFERENCE

The City will accord a preference to employment of veterans of the U.S. Armed Services in accord with provisions of Idaho Code § 65-502 or its successor. In the event of equal qualifications for an available position, a veteran who qualifies for preference pursuant to Idaho Code § 65-502 or its successor will be employed.

D. NEPOTISM AND CONFLICT OF INTEREST PROHIBITED

No person shall be employed by the City when said employment would result in a violation of the anti-nepotism provisions found in Idaho Code § 59-701, §18-1359 or their successors. Any such appointment shall be void. No person related to a mayor or member of a city council within the second degree by blood or marriage may be hired or appointed if the pay is from public funds. No person related to a manager may report directly to them.

E. PREFERENCE FOR PROMOTION FROM WITHIN

Qualified individuals who are already employees of the City may be given preference over outside applicants to fill vacancies in the work force. This preference does not apply to department head positions.

EMPLOYMENT START-UP

A. EMPLOYMENT FORMS TO BE COMPLETED

The following pre-employment forms must be completed before the employee may begin work for the City:

1. Employment application form.
2. Employee's withholding allowance (W-4).
3. Immigration form (I-9), with accompanying identification.
4. Criminal background check for full-time regular employees with financial access.
5. Benefit forms.

B. PAYROLL REPORTING SYSTEMS

Reports of hours worked and time on and off the job must be completed in a timely manner in accord with procedures established by this policy and the treasurer's office. Employee time reports shall contain a certification that it is a true and correct record of the employee's time and benefit usage for the time period covered and must be signed by both the department head and by the employee. For further information, see section 4.B.7 of this policy.

C. DISTRIBUTION OF POLICY

At time of employment, each employee should receive a copy of the personnel policy. It is the responsibility of the employee to familiarize himself/herself with the contents of the personnel policy and to acknowledge its receipt. Voluntary acceptance of this policy and addendums are required for all City employees and officials, unless otherwise noted or rendered invalid by law. Periodic updates or changes shall be distributed and acknowledged.

D. INTRODUCTORY PERIOD

Employees of the City are subject to a three-month introductory period where employees must demonstrate their abilities to handle the responsibilities of their new position. The City uses this three-month period to determine if the employee meets the job requirements for which the employee was hired. During this three-month introductory period either the employee or the City may end the employment relationship at will, with or without cause or advance notice.

Employees who transfer or promote to another position within the City shall be subject to the same three-month introductory period. If the employee is terminated during this introductory period, they may be returned to their previous position or transferred to another position they are fully qualified for if such a vacancy exists with the City. Department heads or Council may extend the introductory period.

E. POSITION REQUIREMENTS

Positions requiring specific qualifications, such as certifications or licenses shall detail the requirement(s) in their respective job description. This includes positions that require a valid

Commercial Driver's License. In no case shall the City bear the costs associated with the acquisition of a qualification which is a stated condition for hiring.

RULES OF EMPLOYEE CONDUCT

A. PERSONAL PERFORMANCE AND BEHAVIOR

Each employee of the City is expected to conduct himself/herself as a professional in harmony with the high standards of the City as established by its mission statement, policies and other stated goals. Each employee must recognize that public employees are subject to additional public scrutiny in their public and personal lives because the public's business requires the utmost integrity and care. In order to accomplish the goals of the City as a public institution, each employee is expected to avoid personal behaviors which would bring unfavorable public impressions of the City and its officials. In order to accomplish this, each employee:

1. SHALL be prompt and regular in attendance at work or other required job functions. Reports of chronic lateness shall be investigated by the managing official and appropriate disciplinary action, including dismissal, will be taken if the tardiness continues. Individual department rules may apply.
2. SHALL comply with dress standards established in the department for which the employee works. Dress, grooming, and personal cleanliness of employees affects the morale and productivity of other employees in the workplace and the image which the City presents to the public. All employees are expected to maintain dress, grooming, and personal hygiene standards which are appropriate for their work assignment. Radical departures from conventional dress or personal grooming and hygiene standards are prohibited in the workplace or when representing the City except when specifically authorized by management. Dress standards shall be set by the managing official, but in the absence of any departmental dress standards, clothing shall be appropriate for the functions performed and shall present a professional appearance to the public.
 - a. Shoes must provide safe, secure footing, and offer protection against hazards. Dress shorts in the summer are permitted, as long as they are not more than two inches above the knee. Mustaches and beards should be clean and well-trimmed. It is not in the interest of management to dictate the private rights of its employees in regards to body piercing, but because of the safety factors in working machinery and the overall image we want to present to our constituents, pierced jewelry will be limited to small tasteful earrings.
 - b. In the case of known meetings with customers and fellow business people, the dress should be appropriate for the meeting. If you are in doubt about what is appropriate in these cases, it is your responsibility to contact your managing supervisor for direction in this matter.

Employees who do not meet established personal appearance, dress, or cleanliness standards may be required to leave work, if necessary, until the problem is corrected.

Employees generally will not be compensated for time lost when they are required to leave work to comply with established personal appearance requirements. Repeated violations may result in disciplinary action up to and including termination of employment.

3. SHALL dedicate primary efforts to City employment. Individual departments have the right to establish unacceptable secondary employment for department personnel.
4. SHALL avoid conflicts in appointments and working relationships with other employees in the City and related agencies. No employee shall engage in conduct which violates Idaho Code § 18-1356 conflict of interest laws.
5. SHALL work cooperatively and constructively with fellow workers and members of the public to provide public service of the highest quality and quantity.
6. SHALL show a sincere regard for the feelings and self-respect of others. Courtesy is more than surface politeness; genuine regard for others is recognized in the way you treat constituents and staff or answer the telephone. Tolerance for other people's shortcomings, as well as awareness of your own, should be the standard by which employees interact with each other and the public. Positive and productive interactions should be the goal of every employee.
7. SHALL be professional and on task when performing job functions. Unprofessional behavior, such as "horseplay" detracts from quality of work, poses a safety risk and will not be tolerated.
8. SHALL not accept gifts or gratuities in excess of \$50.00 in any professional capacity which could create partiality or the impression of partiality.
9. SHALL not serve on any board or commission which regulates or otherwise affects the official duties or personal interests of said official or employee in a way that could create disadvantage for other members of the public or advantage for the employee.
10. SHALL not release personnel information or any other public record without the express authority of the public official responsible for custody of the record, without an order from a court of competent jurisdiction, or an approved request for public information form.
11. SHALL not use substances, unlawful or otherwise, which will impair the employee's ability to function as a valued and competent part of the City work force.
12. SHALL not engage in workplace or public conduct otherwise detrimental to the accomplishment of the goals established by the Council or the official or department for whom he/she works.
13. SHALL respect the workplace and your co-workers that may be sensitive to fragrances and cologne by limiting the use of these products in the workplace.

B. WORKPLACE CONDUCT

Each employee shall be expected to conduct him/herself in the workplace in accordance with

the following rules. These rules are not to be considered an all-inclusive list of required conduct for City employees. Rather the following rules are provided to establish fundamental policy guidelines which help define what is expected and required of all employees.

Each employee:

1. SHALL give his/her best efforts to accomplish the work of the City for public benefit in accordance with policies and procedures adopted by the elected officials. Each employee shall be subject to the administrative authority of the official who supervises the department where the employee works.
2. SHALL adhere to any code of ethics in his/her profession and avoid conflicts of interest or using his/her public position for personal gain.
3. SHALL follow all rules for care and use of public property to assure that the public investment in equipment is protected and that the safety of the public and other workers is maintained.
4. SHALL abide by all departmental rules whether they be written or issued verbally by the managing official. No employee shall be required to follow the directive of a managing official which violates laws of any local jurisdiction, the state, or nation.
5. SHALL abide by pertinent State and Federal Statute, and City rules concerning the dissemination of information to the public from public records or about public matters. The decision to release information from the public records or to disclose writings or other information in the hands of a public official belongs with the responsible official who has official custody of that record. Each employee shall maintain the confidential nature of records which are not open to public scrutiny in accordance with the direction of the responsible official.
6. SHALL follow rules regarding the reporting of work hours. Failure to follow such rules may be grounds for delayed payment of wages, salaries, or reimbursements. Repeated or deliberate violations of time reporting policy shall result in disciplinary action.
7. SHALL follow department rules regarding breaks and lunch periods.
8. SHALL follow all rules for reporting on the job accidents. Each employee shall cooperate in the reporting and reconstruction of any job-related accident in order that workplace hazards can be eliminated and that proper consideration can be accorded to injured workers and the public.
9. SHALL report any accident(s) observed to have happened on City property or involving City property. Each employee shall provide as much information as he/she can from the observations made in the course of activities associated with one's work. Such information should be reported to the employee's managing official as soon as physically possible and reasonable efforts should be made to assist those in need.
10. SHALL follow all rules regarding safety in the workplace whether established formally by the department or by outside agencies. Employees are encouraged to suggest ways to make the workplace or work procedures safer.

11. SHALL maintain a current driver's license when necessary in the conduct of work for the City. Each employee must report any state-imposed driving restrictions to his/her managing official. Each employee is also obligated to notify his/her managing official in the event that his/her driving abilities are impaired by anything other than state restrictions.
12. SHALL perform such obligations as are necessary to carry out the work of the City in an efficient and effective manner at minimal costs and with limited risk to the public and fellow workers.

C. PROHIBITED WORKPLACE CONDUCT

These rules are not to be considered an all-inclusive list of inappropriate conduct for City employees. Rather these rules establish fundamental policy guidelines which provide a basis to define inappropriate workplace conduct for all employees.

Each employee:

1. SHALL NOT be present in the workplace under the influence of drugs, alcohol, illegal substances or other substances which would impair the ability of the employee to perform his/her work competently or which would threaten the safety or well-being of other workers or the public. No employee should be absent from work as a result of the conditions described above, even though the conduct resulting in the condition actually occurs outside regular working hours. For further information, please see the City of Ammon Drug Free Workplace Policy, Appendix A.
2. SHALL NOT engage in abusive conduct to fellow employees or to the public, or use abusive language in the presence of fellow employees or the public. Abusive language shall include profanity and loud or harassing speech.
3. SHALL NOT sleep or be absent from the employee's work station when on duty. Exception: 24-hour shift employees.
4. SHALL NOT engage in malicious gossip and/or spreading rumors; engaging in behavior designed to create discord and lack of harmony; willfully interfering with another employee's work output, horseplay or encouraging others to do the same.
5. SHALL NOT use work time for personal business including selling of goods or services to the general public or preaching religious or political views to members of the public during the work day. Employees should minimize the amount of work time spent on similar activities engaged with fellow employees.
6. SHALL NOT engage in political activities while on duty in public service. This rule shall not apply to elected officials or chief deputies to an elected official. Employees shall enjoy full political rights when not carrying out their work obligations.
7. SHALL NOT provide false or misleading information on employment applications, job performance reports, payroll records or any other related personnel documents or papers.
8. SHALL NOT willfully give false statements to the public, managing officials, the Council

or Mayor.

9. SHALL NOT discriminate in the treatment of co-workers or members of the public on the basis of race, color, religion, gender, age, disability, sexual orientation, veteran status, or national origin, or any other characteristic protected by applicable law.
10. SHALL NOT smoke within any City vehicle, City building or any other public building. Cigarette butts shall be properly disposed of by depositing in approved waste containers. Employees shall smoke only in designated areas.
11. SHALL NOT allow unlawful substances or alcoholic beverages either opened or unopened in any City building or vehicle at any time.
12. SHALL NOT violate state statutes or local rules regarding the inappropriate use, alteration, destruction, or removal of records kept by the City or by other public officials, particularly when required by law.
13. SHALL NOT abuse employee benefit offerings by taking unjustified sick leave, unearned paid vacation, or otherwise participate in a scheme or deception designed to create incorrect personnel records or to claim benefits which are not deserved in accordance with the City policy.
14. SHALL NOT violate rules concerning absence from the workplace. (Employees must obtain prior permission as required by City policy for use of paid/unpaid vacation, sick, bereavement, or other types of leave granted by this personnel policy.)
15. SHALL NOT engage in prolonged visits with co-workers, children, friends, or family members that will interfere with the course of work in the office or department in which the employee serves.
16. SHALL NOT use telephones or computers in the office or workplace in a manner that violates policy. All employees are responsible to review, understand, accept and adhere to the City of Ammon Technology Use Policy, Appendix B.
17. SHALL NOT engage in criminal conduct of any kind while on duty or off. Employees are expected to behave in a lawful and socially acceptable manner. Failure to do so is a violation of the trust placed in such employees by the public and the managing officials.
18. SHALL NOT violate any lawful rule established by managing officials to maintain order and productivity in the workplace.
19. SHALL NOT duplicate or misuse City key(s).

D. PROHIBITED DISCRIMINATORY HARASSMENT POLICY

The City is committed to providing all of its employees with a workplace free of discriminatory harassment. The City maintains a strict policy prohibiting sexual harassment and harassment on the basis of race, color, national origin, religion, sex, physical or mental disability, age, veteran status, sexual orientation, or any other characteristic protected by applicable law.

This prohibition applies to all employees, vendors, associates, or representatives of the

City.

No employee shall tolerate any conduct prohibited by this policy from anyone while at work or engaged in City business. The employee shall report any such prohibited behavior to the appropriate managing official.

This policy is not intended to protect anyone who makes a false allegation of discriminatory harassment. The City reserves the right to take appropriate disciplinary action against any employee who makes a false allegation of harassment.

1. SEXUAL HARASSMENT DEFINED:

Sexual harassment prohibited by this policy includes conduct of a sexual nature when:

- a. Submission to such conduct is made a term or condition of employment; or
- b. Submission to or rejection of such conduct is used as a basis for employment decisions affecting the individual; or
- c. Such conduct has the purpose or effect of unreasonably interfering with an employee's work or creating an intimidating, hostile or offensive working environment.

Whenever one or more of the conditions above exist, the following shall be considered sexual harassment:

- a. Unwanted sexual advances.
- b. Offering employment benefits in exchange for sexual favors.
- c. Making or threatening retaliation after a negative response to sexual advances.
- d. Visual conduct such as leering, making sexual gestures, displaying sexually suggestive objects or pictures, cartoons, calendars or posters.
- e. Verbal conduct such as making derogatory comments, epithets, slurs, jokes or comments of a sexual nature about an employee's body or dress.
- f. Written communications of a sexual nature distributed in hard copy or via a computer network.
- g. Verbal sexual advances or propositions.
- h. Verbal abuse of a sexual nature, graphic verbal commentary about an individual's body, sexually degrading words to describe an individual, suggestive or obscene letters, notes or invitations.
- i. Inappropriate physical conduct such as touching, assault, impeding or blocking movements.
- j. Retaliation for making harassment reports or threatening to report harassment.

This list is not provided as a complete list, but rather to provide direction in defining

sexual harassment.

Sexual harassment can occur between employees of the same sex. It is unlawful for males to sexually harass females or other males, and for females to sexually harass males or other females.

2. OTHER TYPES OF UNLAWFUL HARASSMENT

The City also prohibits harassment on the basis of race, color, national origin, religion, gender, physical or mental disability, age, veteran status, sexual orientation, or any other characteristic protected by applicable law. Such prohibited harassment includes but is not limited to the following examples of offensive conduct:

- a. Verbal conduct such as threats, epithets, derogatory comments or slurs;
- b. Visual conduct such as derogatory posters, photographs, cartoons, drawings or gestures.
- c. Written communications containing statements, which may be offensive to individuals in a particular protected group, such as racial or ethnic stereotypes or caricatures.
- d. Physical conduct such as assault, unwanted touching or blocking normal movement.
- e. Retaliation for making or threatening to make harassment reports to the City.

E. THE CITY OF AMMON COMPLAINT PROCEDURE

Any employee who believes he/she has been subjected to unlawful harassment, prohibited by this policy, should tell the harasser to stop his/her unwanted behavior and immediately report the behavior, preferably in writing, to their department head and/or the City Administrator.

Any employee who becomes aware of unlawful harassing conduct, prohibited by this policy, either engaged in or suffered by a City employee, regardless of whether or not such harassment directly affects that employee, the employee shall immediately report the incident, preferably in writing, to their department head and/or the City Administrator.

Any employee reporting an incident shall do so either preferably in writing or verbally to at least one of the following; the department head, the City Treasurer and/or the City Administrator. Upon receipt of a complaint, the department head, City Treasurer and City Administrator shall all be made aware of the complaint. The City Administrator will then be responsible to administer an immediate, thorough and objective investigation on behalf of the City. The City Treasurer will be responsible for the creation and maintenance of any and all record keeping necessary for the proper execution and enforcement of this policy.

Therefore, all written correspondence relative to the incident, including written electronic communications shall be forwarded to the City Treasurer upon receipt. In addition, any relative verbal communication shall be summarized by the recipient in writing and forwarded to the City Treasurer. If it is determined and substantiated that prohibited

harassment has occurred, appropriate action will be taken to ensure that the conduct will not reoccur. A determination regarding the alleged harassment shall be made and communicated to the person claiming harassment, as soon as practical. Employees violating this policy are subject to the employee discipline procedure outlined in this policy.

The City strictly prohibits retaliation against any person by another employee or by the City for using this complaint procedure, reporting harassment, or for filing, testifying, assisting or participating in any manner in any investigation, proceeding or hearing conducted by the City or a governmental enforcement agency. Prohibited retaliation includes, but is not limited to, termination, demotion, suspension, failure to hire or consider for hire, failure to give equal consideration in making employment decisions, failure to make employment recommendations impartially, adversely affecting working conditions or otherwise denying any employment benefit.

The City does not consider conduct in violation of this policy to be within the course and scope of employment and does not sanction such conduct on the part of any employee, including elected officials or management employees.

EMPLOYEE CLASSIFICATION, COMPENSATION, AND BENEFITS

A. CLASSIFYING EMPLOYEES FOR POLICY PURPOSES

1. EMPLOYMENT STATUS

For varied reasons, employee status must be organized by classes in order to administer employee policies, benefits or otherwise address employment issues. It is generally the responsibility of the employee to assure that he/she is properly categorized for purposes of each issue or benefit type. The City will endeavor to assist with such matters, but the employee is ultimately responsible to assure that his/her service is properly addressed.

2. EMPLOYEE CLASSIFICATION

The classification of the position you hold with the City may affect the status of obligations or benefits associated with your employment. The primary classes of employees and their respective status is outlined as follows:

a. Full-Time Regular Employees:

Typical work schedule calls for at least 30 or more hours of scheduled work during each seven (7) calendar-day payroll period. Full-time regular employees shall receive all employee benefits provided by the City; as such benefits now exist or may be subsequently changed. Nepotism laws apply to all full-time employees.

b. Part-Time Regular Employees:

Typical work schedule calls for 29 or less hours of scheduled work during each seven (7) calendar-day payroll period. Part-time regular employees shall receive reduced employee benefits in accordance with policies adopted by the Council and required by PERSI. The scope of benefits received may vary proportionately with the number of hours typically scheduled for a part-time regular employee. The number of hours scheduled may also affect the employee's obligation to participate in certain mandatory state benefit programs. Certain benefits may not be available. Nepotism may be allowed for the paid call employees of the Fire Department upon approval of the City Administrator.

c. Seasonal Employees:

Provide services for the City on an irregular or temporary basis and whose time of employment is less than 8 consecutive months annually. Seasonal employees shall receive no benefits provided to regular employees, except those required by law or those provided by express written authorization of the Council. The City Treasurer will file required reports regarding seasonal employees with PERSI. Nepotism may be allowed for part-time seasonal employees. Nepotism will not be allowed for full-time seasonal employees.

B. COMPENSATION POLICIES

1. ESTABLISHMENT OF PAY SYSTEM

The City compensates employees in accord with decisions by the Council as budgets are set and tax levies are authorized. Pay for any given position is subject to the annual budgetary process and as such may be subject to increase, reduction, or status quo maintenance for any time period. The managing official may make suggestions about salary compensation and other pay system concerns but the final decision regarding compensation levels rests with the Council's budgetary rulings and final direction from the City Administrator.

2. COMPLIANCE WITH STATE AND FEDERAL PAY ACTS

The City shall comply with all State and Federal pay acts respecting the compensation of employees for services performed in the public service.

3. RIGHT TO CHANGE COMPENSATION AND BENEFITS

The Council reserves the right to make budget adjustments, and consequently pay adjustments, during the course of the budget year in order to manage cash flow or to deal with other circumstances which justify changes in City expenditures.

Compensation may also be adjusted based upon job performance and the availability of funds to maintain a solvent City budget.

4. OVERTIME COMPENSATION - COMPLIANCE WITH FAIR LABOR STANDARDS ACT

In addition to the employee classifications set forth elsewhere in this policy, all employees are classified as either exempt or hourly for purposes of complying with the Federal Fair Labor Standards Act (FLSA). The FLSA is the Federal wage and hour law which governs the obligation of employers to pay overtime compensation. Exempt employees are not required to receive overtime pay for hours worked beyond the limits provided by the statute. Employees who serve as sworn law enforcement officers and/or fire fighters shall be subject to special exceptions found in the FLSA (See 207K). Please contact your department head or the office of the Administrator for further clarification of your FLSA status. Sick leave, vacation, and holidays will be excluded from hours worked for overtime purposes. All hours worked in excess of 40 hours in a 7-day work period shall be compensated at the rate of 1 ½ times the regular hourly rate. Overtime shall be worked only when necessary.

In the event the Mayor declares a disaster, which is later confirmed by the Council, exempt (salaried) employees will become non-exempt (hourly) for the duration of the disaster. When the Mayor and City Council declare the disaster has concluded, original exempt employees will automatically be transitioned back to exempt status. The City Administrator shall determine the precise moment when exempt employees are transitioned to hourly employees. This transition may coincide with existing or future pay cycles.

When providing assistance to out of area disasters, all exempt (salaried) employees will

become non-exempt (hourly) for the duration of the assistance. For all employees, after eight (8) hours in a single day, any additional work will be paid at an overtime rate, according to the currently adopted Personnel Policy Manual.

5. AMMON DAYS

The annual Ammon Days celebration is a regular day of work for all employees.

6. REPORTING AND VERIFYING TIME RECORDS

It is the responsibility of each employee to properly record the time that he/she has worked during a payroll period. Each time sheet shall bear the signature of the employee with a statement verifying its accuracy and a counter signature by the department head indicating that the hours claimed were actually worked. These records shall be retained according to the City of Ammon Records Retention Schedule.

7. WORK PERIODS

Employment with the City is subject to the Federal Fair Labor Standards Act as previously described. Each employee is responsible for monitoring the status of hours worked in each work period. Overtime shall be allowed only when preapproved by the managing official or when absolutely necessary in an emergency. The work week for all regular employees who are subject to the FLSA shall begin at 12:00 a.m. (midnight) on Sunday of each week and concludes at 11:59 p.m. of the succeeding Saturday. Regular employees will record actual hours worked. The payroll department shall compute the overtime earned at 1 ½ times the hourly amount based on a 40-hour workweek. All hours worked, including overtime, shall be paid in their paycheck for the pay period in which it was earned.

The maximum allowed break time is 15 minutes for every 4 hours of contiguous work. The staff on duty is responsible to coordinate breaks which maintain appropriate staffing levels and efficient operation. Lunch break policy is established by department requirements therefore; employees are to follow the directives of their managing official.

Exempt employees shall not receive overtime pay for hours worked beyond 80 hours per pay cycle or reductions in pay for pay periods with less than 80 hours worked per pay cycle. Exempt employees are expected to work, on average, a minimum of 80 hours per pay cycle and any additional hours necessary to fulfill their responsibilities. Exempt employees have control over their work schedule and hours as long as the job requirements are met.

8. PROMOTIONS AND COMPENSATION

Compensation for all employees is established by action of the Council. The annual budget of the City sets the funding available for compensation of employees in various departments. Promotions and changes in status may be recommended and made by officials in each of the operating departments but final authority regarding compensation rests with the City Council and Mayor through the budgeting process with final action on promotions and compensation approval by the Department Head and

City Administrator. Any promotion or compensation not budgeted for in the current budget must be approved by the City Council prior to said promotion or compensation.

Employees shall participate in a performance evaluation system approved by the Council. Such evaluation systems shall be one basis for allocating changes in compensation in each budget year. Records of all such evaluations shall be kept in the personnel file of each employee.

The City of Ammon has adopted a pay/grade scale, with a merit for performance philosophy.

9. PAYROLL PROCEDURES AND PAYDAYS

Employees are paid every two weeks throughout the year. Time sheets are to be turned in by 9:00 a.m. on the bi-weekly Monday that immediately follows the conclusion of the two-week work period. Paychecks will then be issued by the office of the City Treasurer on the bi-weekly Wednesday that immediately follows time sheet submittal. Paychecks compensate employees for work performed in the two-week work period immediately prior to paycheck issuance. Paychecks are to be distributed by the Department Head or their designee, at the employee's normal workplace prior to 5:00 p.m. on payday in a manner approved by the department head, payroll checks will be available to Department Heads by 3:00 p.m. on payday. NO advances will be allowed.

It is the responsibility of each employee to monitor the accuracy of each paycheck received. Information shown on the employee's paycheck stub is provided for information only. The paycheck is generated by a computer program that does not have the capacity to think or to understand individual circumstances. Actual practices respecting the issuance of paychecks and allocation of employee benefits must be consistent with official City policy. In the event of disagreement between the computer-generated paycheck stub and official policy as interpreted by the Council with the assistance of the City Treasurer, the policy shall prevail.

At time of hire all employees will fill out and sign a 'New Employee Packet' which sets forth his/her requested benefits and deductions. The City Treasurer or an authorized staff member will subsequently input this information into the payroll system. Any discrepancies or problems in adhering to the items outlined on the form will be clearly resolved and indicated on the form. Necessary changes to the inputs from the originally submitted form will be accepted and initialed by the requesting employee. Upon completion, the form will be signed and dated by the City Treasurer or the authorized staff member and then placed in the employee's permanent file. Any future requests to adjust benefits or deductions on the part of employees must be submitted in writing through submittal of a new benefit form. The method for instituting these changes will conform to the same procedure as described above.

10. COMPENSATION WHILE SERVING ON JURY DUTY

Employees called to jury duty, which necessitates an absence from their regularly scheduled duties, shall be granted leave with no reduction in salary or benefits. Notice

of the receipt of a summons for jury duty should be given to the employee's immediate supervisor as soon as possible.

11. MILITARY LEAVE

- a. Any regular employee who is inducted into the Armed Forces of the United States and the Military Selective Service Act shall be granted a leave of absence without pay and shall be entitled to return to his/her former position or to an equivalent position, providing:
 - i. He/she makes application for re-employment within ninety (90) days after such person is relieved from training and service or from hospitalization continuing after discharge for a period of not more than one year, provided he/she is still qualified to perform the duties of such position with reasonable efforts by the City.
 - ii. Seniority and service credit shall continue during military leave, but a returning veteran will not displace another employee with greater service.
 - iii. All provisions of this section shall be interpreted in a manner consistent with the Soldiers and Sailors Civil Relief Act.
- b. Any regular employee who is a member of an organized Reserve or National Guard Unit who is ordered to participate in field training shall receive, for a period of no greater than 15 working days, that portion of his/her regular salary which will, together with his/her lesser military pay (including pay received for weekends that fall within or at the end of the leave period), equal his/her regular salary. For this purpose, military pay does not include allowances received for rent, subsistence, travel, and uniforms.
- c. Regular, full-time employees who are members of the National Guard and who are called for emergency duty in their state will be granted up to 160 hours of paid Military Leave per calendar year.

12. PAYROLL DEDUCTIONS

In accord with Idaho Code § 45-609 or its successor, no payroll deduction(s) shall be made from an employee's paycheck unless authorized by the employee or required by law.

13. TRAVEL EXPENSE REIMBURSEMENT

An employee on City business shall be reimbursed for expenses incurred in completing his/her work-related assignment in accord with the policies established by the Council. Travel expenses must be authorized by their managing official. Each employee is responsible for providing verified receipts for any expenses for which reimbursement is requested in accord with Idaho Code § 31-1506 or its successor.

Employee meal expenses, shall be paid up to a maximum of \$60 per day. When separate meal expenses are incurred due to partial travel days or for meals necessary due to City business functions the rate per person are as follows: Breakfast \$15, Lunch \$20 and

Dinner \$25. If a meal is included and paid for in a meeting or conference registration, the meal rate above shall be deducted from the maximum rate to determine what would be allowed for a given day. The City requires employees to make use of available complimentary meals, whenever possible. If the employee is allergic to the food provided at a meeting/conference, a meal per diem may be allowed to get them food they can eat.

Authorized related lodging expenses shall be reimbursed at actual cost. Employees should always request tax exempt government rates and negotiate the best available rate. Each employee is allowed their own room.

Travel time from the employee's home to work will not be compensated. Allowable time will start from departure from the employee's City's work location.

When traveling on City business, a City vehicle shall be taken, if available.

If a City vehicle is not available, then a private vehicle may be used with approval of the Department and the City Administrator in which event standard business mileage as provided for by the IRS shall be paid.

In the event a City vehicle is available but the employee makes a request to take a personal vehicle when a City vehicle is available, the Department Head and the City Administrator must approve the request. In such event, reimbursement shall be for the cost of fuel only. The vehicle shall be full at the start of the trip and filled again upon arriving back at the City. Receipts shall be submitted to the appropriate Department Head for approval on the approved expense claim reimbursement form. Any exceptions to this policy must be made in advance and approved by both the Department Head and the City Administrator

Non-City employees may ride in a City vehicle, for business purposes, but must dress and act appropriately when doing so. In addition to the employee assigned or permitted to drive a City of Ammon vehicle, he or she may allow others, as necessary, to operate the vehicle if they have a valid driver's license and are 25 years of age or older. It shall be the responsibility of the Department Head to monitor additional drivers. Drivers (including volunteers) that regularly are allowed to drive a City vehicle or equipment shall follow and be provided with a copy of the City of Ammon Vehicle and Equipment Policy (Appendix C).

If a City vehicle is taken home, mileage must be tracked. It is the intention of the City to comply with IRS rules regarding use of public vehicles for personal use. In some cases, the use of a City vehicle can result in a taxable benefit to the employee. Said benefit shall be recorded on the employees W-2 form for the year.

All employees shall review and comply with the requirements of the vehicle use policy adopted by the City.

14. ON-THE-JOB INJURIES

All on-the-job injuries shall be reported to your department head, who in turn shall report to the City Clerk, as soon as practicable, to allow the filing of worker's

compensation claims in the proper manner. If an employee is disabled temporarily by an on-the-job accident, he/she shall be eligible for worker's compensation benefits. Return to employment shall be authorized on a case-by-case basis upon consultation with the supervising official and the State Insurance Fund. Concerns associated with injured worker status may be brought before the City Clerk for review.

Drug and/or alcohol testing, ordered by your department head, is mandatory for any workman's compensation or property damage claim and must occur within 2 hours of the accident. For further information, please see the City of Ammon Drug and Alcohol Free Workplace Policy (Appendix A).

15. DRUG-ALCOHOL TESTING

The City has adopted a Drug and Alcohol Free Workplace Policy (Appendix A). For any questions relating to the City policies regarding drugs or alcohol please refer to Appendix A.

16. ON CALL

'On call' will be determined by the department head as needed. While on 'on call' duty employees shall be available for immediate response to emergency and/or service calls. Actual hours worked while on standby duty shall be compensated at the employee's normal pay rate including overtime rates, if applicable. In addition, employees who are required to perform 'on call' shall receive one additional hour per day, except on Saturday, Sunday and holidays when 'on call' duty shall add two additional hours per day.

Travel time from the employee's home to work will not be compensated. Allowable time will start from departure from the employee's City's work location.

C. EMPLOYEE BENEFITS

The City offers a number of employee benefits for full-time regular employees. These benefit offerings are subject to change or termination at the sole discretion of the Council. Each is subject to the specific terms of its respective insurance policy and/or official resolution of the Council.

1. PAID TIME OFF (PTO)

Paid Time Off is available to all full-time regular employees who have completed the equivalent of 90-days of full-time regular employment. Paid Time Off (PTO) accrues as the employee works. Employees will not accrue PTO while on an unpaid leave of absence or under suspension of any kind.

- a. PTO Accrual Schedule for Full-Time Employees: Each full-time employee will accrue 6.154 hours of PTO per pay cycle for a total of 160 PTO hours per year. Under no circumstances will any employee accrue more than 160 PTO hours per year.
- b. Maximum Annual Accrual. The maximum PTO hours allowed to accrue is 480. Once an employee reaches the maximum accrued PTO hours, no additional PTO will accrue until the employee's PTO hours are reduced below the maximum.

- c. Paid Time Off (PTO) Pay Out. Unused PTO hours are paid out at 85% of the employee's current pay rate. PTO is to be paid out upon separation from employment with the City. Employees may fill out a "PTO Pay Out Request Form" to be paid out for accumulated PTO during employment.
- d. Donation of PTO Time. In the event that an employee depletes their accrued PTO hours due to a major illness or injury, other employees may voluntarily donate PTO hours from their accrued PTO hours, provided the following criteria are met:
 - i. PTO may be donated only after an employee has entirely depleted their PTO hours and, if applicable, any remaining Sick Leave;
 - ii. No more than 72 hours of PTO can be received through donations to a single employee in a three-year period;
 - iii. An employee of a lower pay grade cannot donate hours to a higher pay grade employee. Pay grade distinctions shall be made by the City Administrator and/or City Treasurer; and
 - iv. All PTO donations shall be anonymous and handled by the City Administrator and/or City Treasurer.
- e. Any requests for donating PTO that do not meet the criteria listed above may be evaluated and approved or denied at the sole discretion of the Mayor, or in absence of the Mayor, the City Administrator.

2. PTO TRANSITION FROM VACATION/SICK LEAVE

Effective January 1, 2019 the following shall occur:

- a. Vacation Leave and Sick Leave will no longer accrue.
- b. All Vacation Leave accrued by an employee is converted to Paid Time Off (PTO) hours.
- c. All Sick Leave accrued will remain Sick Leave and can be used by employees in the event of illness to the employee or his/her immediate family living in their household or whom the employee is directly responsible for. Sick Leave must be used only in the event of an illness or injury that prevents the employee from working productively or safely or if an immediate family illness presents no practical alternative for necessary care. Surgeries, elective or otherwise, along with the necessary recovery time qualify for Sick Leave, if covered by insurance or preapproved by the managing official. When three (3) or more concurrent days of Sick Leave are requested, the managing official may require a physician's notification in writing prior to approving the Sick Leave. Additionally, a physician's written notification may also be required when there is evidence of Sick Leave abuse, such as requesting more days than the annual accrual rate within a one-year period. Abuse of Sick Leave benefits shall result in disciplinary action. Sick Leave shall not be paid out.
- d. If an employee exceeds the 480 PTO hour maximum limit after converting their Vacation Leave to PTO hours, they will have 12 months to reduce their PTO hours to within the limit allowed.

3. ANNUAL LONGEVITY BONUS

- a. Full-time employees with five (5) years of full-time service or more shall receive an annual Longevity Bonus.
- b. The Longevity Bonus shall be calculated as follows:

\$100/Year of service beginning at five (5) years of service

Calculation: Years of Service times 100 equals the Longevity Bonus

Example Calculation for an employee of five years: 5 X 100 = \$500

Example Calculation for an employee of 17 years: 17 X 100 = \$1700

- c. The Longevity Bonus is available only as city budget permits.
- d. Longevity Bonuses for all city employees shall be paid within the same month in any given fiscal year. The City Administrator shall determine the month in each fiscal year when Longevity Bonuses are paid to qualifying employees.

4. HOLIDAYS

Official paid holidays are provided for full-time regular employees. Employees, who have regular, full-time active status, on the date of any holiday, shall receive no more than 8 hours' compensation for that day even though they do not work. Holidays which fall on Saturdays shall be observed on the preceding Friday. Those which fall on Sunday shall be observed on the succeeding Monday. The Mayor has the authority to temporarily adjust the operating hours of City offices on days immediately preceding or following scheduled holidays based on work load and employee morale.

A holiday is a day of exemption from work granted to employees, during which said employees shall be compensated, as if they actually worked. Employees who work on a holiday shall be compensated according to the following calculation:

	Holiday Hours		Hours worked on a holiday
Full-time Exempt Employees	8 hours at regular pay	+	No additional compensation
Full-time Hourly Employees	8 hours at regular pay	+	Overtime for hours actually worked
Part-time and Seasonal Employees	0 (zero) hours	+	Overtime for hours actually worked

RECOGNIZED HOLIDAYS:

New Year's Day	Columbus Day
Martin Luther King, Jr./Human Rights Day	Veterans Day
Presidents' Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving Day

Independence Day	Christmas Eve dismissed at 2 PM with no lunch
Labor Day	Christmas Day

4. BEREAVEMENT LEAVE

Up to five days of paid leave of absence for a death in the immediate family (spouse, parents, grandparents, children, grandchildren, brothers, sisters, aunts and uncles, including those related by law). Additional leave may be granted from accrued paid vacation leave or unpaid leave of absence.

5. LEAVES OF ABSENCE

Up to thirty days' unpaid leave can be granted by the City Administrator for any justifiable purpose. Any unpaid leave request in excess of five (5) days must include an explanation of the reason for the unpaid leave and a statement from the Department Head stating how the employee's position will be covered in the employee's absence. Paid leave in any amount or unpaid leave in excess of thirty days shall require written approval of the Council.

6. FAMILY AND MEDICAL LEAVE ACT

Employees of the City may have rights for up to 12 weeks of unpaid, job-protected leave under the provisions of the Family and Medical Leave Act of 1993, including any revisions that may be enacted to the Act, if they meet the following eligibility requirements, from the Code of Federal Regulations (CFR) section 825.110. "An eligible employee" is an employee of a covered employer who:

- a. Has been employed by the employer for at least 12 months, and
- b. Has been employed for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave, and
- c. Is employed at a work site where 50 or more employees are employed by the employer within 75 miles of that work site.

An employee that has used this benefit, shall be eligible for an additional 12 weeks of this qualifying benefit only after the accumulation of an additional 1,250 hours of service from the date of returning to work as an eligible employee as described in CFR section 825-110.

Employees who work for an employer who employs less than 50 employees within 75 miles of that work site are not eligible for FMLA leave.

If an employee meets these eligibility requirements he/she may request up to 12 weeks of leave where the City shall continue the employee's benefits (employer portion only) during the leave period.

It is the employee's responsibility to contact the designated Human Resource person to discuss your rights and obligations for continuation of any current benefits you are

receiving. Employees must make arrangements for payment of their portion of the benefit costs or discontinuation of those benefits shall occur.

If the employee does not return to work for reasons other than their own continued serious health condition or that of an eligible family member, the City may recover from the employee the premiums that were paid for the employee's medical and life insurance benefits. HRA payments made during an employee's leave period would also be included in benefits to be recovered.

Employees are required to use any accrued paid vacation and sick leave before utilizing leave without pay under this FMLA policy. If paid leave accruals are less than 12 weeks, the employee may take the remainder of FMLA leave as unpaid leave. Employees shall continue to accrue leave while utilizing their paid sick and vacation leave. They shall cease to accrue paid vacation and sick leave during the unpaid portion of their leave.

Employees are required to give 30 days' advance notice or as much time as practical when the need for FMLA leave is foreseeable. The City reserves the right to request medical certification supporting any leave, and may require second or third opinions (at the City's expense). The City may also require a doctor's fitness for duty report prior to your returning to work. Leave may be denied if these requirements are not met. The decision to allow an employee to return to work shall be solely the City's, in compliance with the provisions of the Family and Medical Leave Act.

An eligible employee of the City who is the spouse, son, daughter, parent, or next of kin of an injured service member shall be entitled to a total of 26 work weeks of leave during a 12-month period to care for the service member. There is 12 weeks of unpaid leave for an employee if the spouse, son, daughter or parent has been called to active duty. An eligible employee may elect, or the City may require the employee, to substitute any of the accrued paid vacation leave, personal leave, family leave, or medical or sick leave of the employee for any part of the 26-week period.

FMLA leave may be taken intermittently or on a reduced leave schedule in the circumstance of birth or placement of a child for adoption or foster care, care for a sick family member, or for an employee's own serious health condition with prior written approval from the managing official, or when "medically necessary."

To request FMLA leave please write a brief letter or memo to your managing official indicating the reason for requesting FMLA leave and the expected duration of leave. Note: your managing official or administrator may request that you provide certification by your physician or medical practitioner indicating the diagnosis and probable duration of your medical condition, or the medical condition of your family member.

The City shall return the employee to the same or an equivalent position after returning from FMLA leave, subject to the terms of the Family and Medical Leave Act. The only exception may be for individuals who, under the provisions of the FMLA are considered to be a "key employee" whose extended absence would cause "substantial and grievous economic injury".

The City reserves the right to require periodic notices (determined by the City) of you or your family member's status and your intent to return to work.

The City reserves the right to designate any leave request as covered or not covered in compliance with the provisions of the Family and Medical Leave Act.

If you have any questions about your rights under FMLA, please contact your managing official.

7. REDUCTION IN BENEFITS

The City, through the Council, reserves the right to change, condition, or terminate any benefits set forth in this section. No employee shall acquire any rights in any current or future status of benefits except as the law otherwise requires.

8. BENEFITS FOR PART-TIME OR TEMPORARY EMPLOYEES

Unless negotiated with the Council, required by PERSI or law, there are no provisions for benefits for part-time, seasonal or temporary employees.

9. INSURANCE COVERAGE AVAILABLE TO EMPLOYEES

The City provides medical and life insurance benefits to full-time regular employees and elected officials. The City provides payments to an HRA benefit package for qualifying employees for coverage of dental and vision benefits. Additionally, the City provides family coverage at the employee's expense. For the costs of the family insurance charges consult with Human Resources.

Management or key employees are eligible for coverage the first of the month after hire; all other employees are eligible after 60 days of employment; coverage begins on the first of the month following eligibility. All coverage is subject to policy terms and may change at any time. Continued health coverage is available to former employees at their own cost pursuant to federal law (COBRA). Information may be obtained from the personnel office.

Worker's compensation insurance covering job-related injuries is provided for all employees. Questions about worker's compensation issues should be directed to the office of the City Clerk.

10. RETIREMENT

The retirement plan of the City combines benefits of the Public Employees Retirement System of Idaho (PERSI) with Social Security (FICA). PERSI charges a percentage of an employee's gross salary, which is presently exempt from Federal and State income taxes, and the City matches this with an additional larger contribution. Contact the office of the City Treasurer for further information.

11. MISCELLANEOUS BENEFITS

Discounted utility fees of 50% shall be provided for full-time employees residing within the City limits or City utility service areas.

- a. Utility discounts are limited to the primary residence of the employee.

- b. Utility account shall be in the employee's name.

Rental of shelters, and/or Council chambers discounts of 50% shall be provided for all full time employees and elected officials.

Full time employees and elected officials are eligible to receive a City swimming pool pass good for 25 free open swim sessions. Pool passes are non-transferable. Passes are to be used by employee or employee's immediate family members. Passes will be issued upon request only, and are valid for the current season. Individuals may begin requesting passes in May of each year; passes will be available for pick up five (5) days later, to allow for processing. Passes not used will expire on September 30 of the year issued.

Elected officials may opt out of any benefit provided by the City of Ammon upon majority vote of the City Council.

12. TRANSFER OF BENEFITS WITH EMPLOYEE TRANSFER

Accrued benefits for each employee continue to the benefit of that employee if the employee transfers from one department to another within the City. Any such transfer shall not result in a reduction of benefit offerings separate and apart from those realized by employees similarly situated.

EMPLOYEE EVALUATION AND DISCIPLINE

A. EVALUATION PROCEDURES

1. STANDARD PROCEDURES

Each employee may be evaluated after 90 days of employment with the City and at least on an annual basis thereafter to assess the performance of the employee in the job being performed for the City. Annual evaluations for all departments shall be conducted during the month of September. Each evaluation shall be given on the basis of the managing official's observations of the employee's performance, the accuracy of the employee's work in addition to the quantity, and additional efforts expended by the employee on behalf of the City. Each managing official is authorized to use necessary evaluation tools. A record of the evaluation shall be placed in the employee's permanent record file.

2. INTERVIEWS (EVALUATION)

Each evaluation shall be concluded with an interview between the evaluated employee and the managing official in which the employee will be told what the findings of the evaluation are. Each employee shall be given an opportunity to respond to the evaluation both verbally, in which case notes may be taken by the interviewer, or the employee may submit a written response to the employer's evaluation to be placed in the employee's personnel file, provided that it is filed with the employer within ten (10) days of the date of the evaluation.

B. EMPLOYEE PERSONNEL FILES

1. PERSONNEL RECORDS

The official City employee records, including medical records will be stored in a secure location, owned operated and maintained by the City. Within these personnel files will be kept all records of payroll, employee performance evaluation, employee status, and other relevant materials related to the employee's service with the City. Any managing official or the employee himself/herself may contribute materials to the personnel files deemed relevant to the employee's performance and tenure. Each employee shall have the right to review materials placed in his/her personnel file at any reasonable time. Copies of materials in a personnel file are available to each employee without charge. Personnel files shall not be removed from the premises.

2. ACCESS TO PERSONNEL FILES

It is the policy of the City to allow limited access to the personnel file under the supervision of the official responsible for the record for any employee when properly requested.

Those authorized to evaluate materials in a personnel file include the employee's managing official, City Treasurer, City Clerk, Deputy City Treasurer, elected officials, City Attorney and the employee himself/herself.

Employee's medical and workman's comp history records shall be kept in a separate employee file from the employee's personnel file and shall not be accessible to anyone other than the City Clerk, City Treasurer or Deputy City Treasurer.

The City Attorney shall have access to all personnel files as needed.

Information regarding personnel matters will only be provided to outside parties with a release from the employee or in other circumstances where release is deemed appropriate or necessary with the concurrence of both the official supervising the records and the City Attorney.

Based upon the inherent confidentiality of personnel matters, access of others to personnel files shall be only with authorization of the managing official and the City Attorney.

3. MANAGEMENT OF INFORMATION IN PERSONNEL FILES

Each employee shall be provided an opportunity to contest the contents of a personnel file at any time. This is to be done by filing of a written objection and explanation which will be included in the file along with the objectionable material. In the sole judgment of the supervising official, with the concurrence of the Council, any offending material may be removed upon a showing by the employee that it is inaccurate or misleading.

C. EMPLOYEE DISCIPLINE PROCEDURES AND PRINCIPLES

1. PURPOSE OF DISCIPLINE POLICY

The purpose underlying the discipline policy of the City is to establish a consistent procedure for maintaining suitable behavior and a productive working environment in the workplace. These procedures are directory in nature and minor variations of the processes set forth herein shall not affect the validity of any actions taken pursuant to this policy.

2. DISCIPLINARY SYSTEM FRAMEWORK

The City adopts the following framework for actions to be taken in the event that City policies are violated by any employee. Progressive steps may be implemented in order to invoke disincentives to policy violations. The City reserves the right to take any of the prescribed steps in any order in the event that a managing official deems a policy violation or action of the employee to be serious enough to warrant a certain step. Such steps shall be documented in the record of the disciplinary action. Progressive discipline shall be applied only where the managing official believes that the potential for improvement and correcting the behavior is possible.

3. HIERARCHY OF DISCIPLINARY ACTIONS AVAILABLE

The following actions are among the progressive disciplinary steps which can be taken by the department head in response to personnel policy violations. Any step in the disciplinary process may be skipped or waived; at the discretion of the managing official, considering the severity of the offense:

- a. Verbal warning
- b. Written warning or reprimand.
- c. Suspension with or without pay.
- d. Probation.
- e. Demotion.
- f. Dismissal.

4. OPPORTUNITY TO BE HEARD—ASSERTIONS OF UNLAWFUL DISCRIMINATION AND RETALIATION AND “NAME-CLEARING HEARING”

1. All employees are at-will employees. However, at-will employees may from time to time experience adverse consequences of unlawful discrimination or retaliation. In addition, a public employee who is being demoted with a reduction in pay or terminated from employment based upon allegations of dishonesty, immorality or criminal misconduct is constitutionally entitled to a name-clearing hearing when one is requested.
2. Unlawful discrimination and retaliation address actions that are alleged to involve decisions based upon age, sex, race, religion, national origin or disability that is not a bona fide occupational qualification. The City does not condone discrimination on the basis of the foregoing unlawful categories. Unlawful retaliation addresses actions that are taken against an employee for initiating a charge of discrimination or harassment, or for assisting in any way in an investigation of such charges.
3. Failure to pursue this opportunity to be heard or name-clearing hearing procedure constitutes a waiver of this opportunity.
4. Issues involving job performance or employee attitude, without allegations of discrimination, retaliation, dishonesty, immorality or criminal misconduct, are not the proper subject of this procedure and will not be heard.
5. The procedure for the opportunity to be heard or name-clearing hearing is as follows:
 - a. Within fourteen (14) days of his/her termination or demotion, the employee may submit a written allegation of unlawful discrimination or retaliation, or the basis for entitlement to a name-clearing hearing, stating with particularity the basis for the requested hearing. Written allegations that are untimely submitted or that fail to state a particular, legally recognized basis will not be granted an opportunity to be heard. An employee will be promptly notified if a requested hearing is denied.
 - b. An employee alleging unlawful discrimination or retaliation, or who is legally entitled to a name-clearing hearing, will meet with the City Council. The hearing will not exceed one (1) hour in duration.
 - c. An audio recording of the hearing will be made and maintained as part of the personnel record.

- d. The employee's supervisor may provide a brief written statement at least twenty-four (24) hours prior to the hearing in response to the charges. The City Council may require the employee's supervisor to participate in the hearing.
 - e. The employee will be provided an opportunity to present evidence upon which the claims are based.
 - f. The City Council may ask questions during this process.
 - g. The employee may question participants during this process.
 - h. The Idaho Rules of Evidence do not apply to this opportunity to be heard or name-clearing hearing.
6. After the hearing, the City Council will consider the information submitted, and such other information as might be in the City's records, to arrive at a decision concerning the employee's allegations. The decision will set forth in writing the reasons for the City Council's determination.

SEPARATION FROM EMPLOYMENT

A. REDUCTION IN FORCE

Employee assignments may be affected by reductions in force made due to economic conditions or to changes in staffing and workload. The Council reserves the right to make any changes in work force or assignment of resources that it deems to be in the City's best interest. The Council may also specify at the time reductions in force are made, what reinstatement preferences may accompany the reductions. Said reinstatement preferences may be tied to the classification of the employee or to specialized skills possessed by the employee.

Reorganization initiated to make more efficient use of resources or to accommodate budgetary needs shall not be subject to the appeal procedure established by the City.

B. REINSTATEMENT PREFERENCE

Employees who leave City employment, due to a reduction in force, shall retain a first right to return in the event of work force rebuilding for one year from the date of their separation. Employees shall retain a preference only for work for which they are fully qualified and for which available service requirements can be met.

C. RETIREMENT POLICY

The retirement policy of the City shall comply in all respects with Federal and State requirements respecting mandatory retirement and the obligations established by the Public Employees Retirement System of Idaho (PERSI). No employee shall be compelled to retire except in compliance with said acts.

D. COBRA BENEFITS

Employees of the City who currently receive medical benefits and separate from employment may be eligible to continue those medical benefits at the employees' sole cost and expense for a limited time in accordance with the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). If you have any questions regarding your right to continue your health coverage after separating from the City, please contact the designated Human Resource person.

E. EXIT INTERVIEW

Each employee who terminates from employment with the City is encouraged to participate in an exit interview with the City Administrator. In such interview, the interviewer shall notify the employee when certain benefits shall terminate, when final pay shall be issued and review the process to receive COBRA. The employee shall inform the interviewer about his/her impressions of employment in such interview. A record of the exit interview shall be completed and retained in the employee's personnel file.

F. RESIGNATION POLICY

Voluntary resignation will only be accepted if made in writing. Any verbal resignation will be treated as leave without approval, unless authorized by the managing official. Under leave without approval an employee may be terminated for "job abandonment" after three (3) days of leave that has not received approval. If the employee wants his formal records to indicate "voluntary resignation", they must do so in writing to their managing official. No employee who voluntarily resigns should expect that their position will be available at the same pay rate and/or benefits, if they desire to apply for rehire.

G. ABANDONMENT

Employees who have an unexcused or unauthorized absence of three working days or more may be terminated for job abandonment.

SIGNATURE PAGES OF RECEIPT AND UNDERSTANDING

CITY OF AMMON POLICY AND PROCEDURE MANUAL

ACKNOWLEDGEMENT OF RECEIPT

SIGNATURE SHEET

RECEIPT:

I, _____ acknowledge that I have received a copy of the **City of Ammon Personnel Policy Manual**. I understand that it is my responsibility to review this manual and it is a condition of my continued employment. My signature below affirms that I will read and understand the manual within fourteen (14) days of my hire date. If I have questions regarding any aspect of the policy and procedures of the City of Ammon, I will discuss these questions with my Department Head or the Designated Human Resource person as necessary until I fully understand the policies and procedures of the City of Ammon.

Additionally, my signature below affirms that:

I understand that this manual is not a contract and cannot create a contract. I understand that I am obligated to perform my duties of employment in conformance with the provisions of the **City of Ammon Personnel Policy Manual** and any additional rules, regulations, policies or procedures imposed by the department in which I work, whether or not I choose to read the Manual.

I understand that should this Policy be modified that I will be provided with a copy of the modification.

_____ Employee Signature	_____ Date
_____ Human Resource (Witness to Employee Signature)	_____ Date

CITY OF AMMON POLICY AND PROCEDURE MANUAL

ACCEPTANCE AND UNDERSTANDING

SIGNATURE SHEET

ACCEPTANCE:

My signature below affirms that I have read and understand the terms of the **City of Ammon Personnel Policy Manual** and that I have addressed any concerns or questions regarding the policies and procedure with my Department Head or the designated Human Resource person. I further understand that I am governed by the contents of the personnel manual and it is my responsibility to remain familiar with all of the information contained therein. Any violation of this personnel manual may be cause for termination.

_____ Employee Signature	_____ Date
_____ Department Head (Witness to Employee Signature)	_____ Date



Drug and Alcohol Free Workplace Policy

APPENDIX A

Of the City of Ammon

Personnel Policy

Appendix A Policy Initial Adoption Date

Policy Statement

City of Ammon has a responsibility to its employees and to the public at large to see that its employees are both drug and alcohol free while on duty. This responsibility comes in light of studies showing that employees who are under the influence of drugs or alcohol while at work are more likely to cause accidents and injuries to themselves and to co-workers, as well as to the public at large. Therefore, City of Ammon (hereafter referred to as “the City”) is implementing this Drug and Alcohol Free Workplace Policy, including within its provisions those regulations contained within the Department of Transportation (DOT) Controlled Substances and Alcohol Use and Testing, as contained in 49 CFR Part 382 and Part 40. This policy shall prohibit the use of any illegal drug as identified by the Idaho Code, irrespective of the legality of any drug in other States.

Introductory Provisions

A. IMPLEMENTATION SCHEDULE

This policy will apply to all prospective and current employees of the City, including those employees who operate commercial vehicles for the City (hereafter referred to as “drivers”).

B. QUESTIONS REGARDING THIS POLICY

Questions regarding this policy should be directed to the employees Department Head or to the designated Human Resource person within the City. A copy of this policy is available to all employees.

C. POSSESSION, USE OR DISTRIBUTION OF ILLEGAL DRUGS OR ALCOHOL

The possession, use, purchase, sale, or distribution of illegal drugs as defined in the Idaho Code (meaning those drugs for which there is no generally accepted medical use; i.e. marijuana, cocaine, methamphetamine, PCP) or drug paraphernalia by an employee in a City vehicle, at a job site, on City property, or during work hours, is strictly prohibited, regardless of the legality of such drug in other jurisdiction. Any employee violating this prohibition will be terminated.

The City also has a prohibition against employee use of illegal drugs as defined by the Idaho Code off the worksite regardless of the legality of such drug in other jurisdictions. An employee's off the job use, manufacture, purchase, possession, sale, or distribution of illegal drugs, or drug paraphernalia that results in criminal charges being brought against the employee will result in the employee being requested to submit to drug testing and may result in the employee being suspended from work without pay. Any employee convicted of a criminal drug statute will be terminated from employment.

D. EMPLOYEE'S USE OF ALCOHOL

The City is committed to ensuring that employees are not at work while under the influence of alcohol. Therefore, employees are not to consume alcohol within four (4) hours of reporting to work. Employees are also not to report to work or remain at work while under the influence of alcohol, meaning their having a blood alcohol concentration (BAC) greater than .02. Employees are prohibited from using or possessing alcohol while on duty.

Drug or Alcohol Testing Required of Employees

A. PRE-EMPLOYMENT TESTING

All prospective drivers must disclose to the City any previous employers for whom they have worked as a CDL employee within the previous two (2) years. The City will then request from those employer's information regarding any incidents where a prospective driver has tested positive for illegal drugs or alcohol, or refused to test, within the previous two (2) years. In the event the City receives information from a former employer that the prospective driver has tested positive for drugs or alcohol within the previous year, that prospective driver will not be offered employment or his/her conditional employment with the City will be terminated. Any driver who is found to have previously tested positive for illegal drugs or alcohol and who is hired by the City must show that he/she has been evaluated by a Substance Abuse Professional and was found to be not drug or alcohol dependent. It will be the City's responsibility to ensure that any required follow-up tests of such drivers are conducted as required by Department of Transportation (DOT) regulations. For the purpose of Pre-employment testing, illegal drugs and alcohol shall mean any use inconsistent with the policy regardless of the legality in any other jurisdiction.

B. POST-ACCIDENT TESTING

Any driver operating a City-owned vehicle or equipment that is involved in a DOT reportable accident will be tested for both illegal drugs and alcohol, as soon as practicable. A reportable accident means an accident that results in a fatality, or where someone involved requires medical treatment away from the scene, or where one of the vehicles is towed, or where a citation is issued to the driver in connection with the accident. Alcohol and drug testing will be administered within two (2) hours of the accident where possible, but in no case later than eight (8) hours.

Any non-driver employee who is involved in a work-related accident will be tested for the use of illegal drugs and may be tested for alcohol, as soon as practicable, after the accident. Examples of accidents that will require a non-driver employee to take a post-accident test include, but are not limited to, situations where:

1. An employee causes a fatality or bodily injury to another person and where the injured person requires medical treatment away from the accident; or,
2. An employee injures himself, where lost time will likely exceed one working day; the employee may be required by their supervisor to take a post-accident drug test or,
3. An employee causes damage to property owned by the City, or by a third party, that may reasonably be estimated to exceed \$500.

Any employee required to be tested under this section must remain readily available for such testing and may not consume alcohol within eight (8) hours of the accident or until he/she has been tested for alcohol. Any employee involved in an accident requiring a drug and alcohol test must notify the City Clerk, of the accident as quickly as possible and comply with those instructions given him/her regarding the taking of a drug and alcohol test. If it is determined that an employee's accident was definitely caused by the actions of another and that there were no unsafe acts on the part of the injured employee, the

City reserves the right to waive post-accident testing. For the purpose of post-accident testing; illegal drugs and alcohol shall mean any use inconsistent with this policy regardless of the legality in any other jurisdiction.

C. RANDOM TESTING

All safety-sensitive employees will be subject to random drug and alcohol testing. Random testing selections will be unscheduled and will be made by a scientifically valid method of selection where every safety-sensitive employee is equally subject to being tested. Random testing for alcohol will take place prior to, during, or immediately following an employee's duty time.

D. REASONABLE CAUSE TESTING

The City will require an employee to be tested for alcohol and/or illegal drugs, regardless of the legality of a drug in another jurisdiction, if the employee's physical appearance or pattern of behavior gives City officials reason to believe the employee may be impaired. The basis of suspicion may be a specific, contemporaneous event or conduct evidencing impairment observed over a period of time.

Specimen Collection Procedures/Test Result Notification

A. SUBMISSION OF AN ADULTERATED OR DILUTED SPECIMEN

If the collection monitor determines that an employee has submitted an adulterated or diluted specimen, that specimen will be discarded and a second specimen will be requested. It will be the second specimen that will then be tested. If the request for a second specimen is refused, the collector will inform the City of the employee's refusal to submit an acceptable specimen. Such refusal will result in either a prospective employee not being offered employment or a current employee being terminated with the City.

B. DRUG/ALCOHOL SPECIMEN COLLECTION PROCEDURES

All employees must submit to drug/alcohol testing. Elected officials are not required to be drug/alcohol tested. Testing for drugs will be done by the testing of an employee's urine specimen, or saliva specimen if a urine specimen cannot be produced. All drug testing of drivers will utilize the split specimen collection procedure, which may be on or off city premises. Under that procedure, a driver will have his/her urine specimen sealed in two separate containers with both containers tested by a SAMHSA certified laboratory.

If a driver's first specimen tests positive that driver may request within three (3) days of the positive notification that the other specimen be tested at a second SAMHSA laboratory. This second test will be done at the driver's expense, unless the second test comes back negative. During the time the second specimen is being tested, that driver will be suspended without pay.

Any non-driver employee whose specimen screens positive for the presence of illegal drugs will have their positive test confirmed by the Gas Chromatography/Mass Spectrometry (GC/MS) confirmation method. Any non-driver employee who tests positive for illegal drugs may request the same specimen be retested at their expense.

This request must be conveyed to the City within forty-eight hours (48) of the employee being notified of the positive test result. During the time the second test is being conducted, the employee will be suspended without pay.

Any employee who is given an alcohol test will be given an initial test and, if they test at or above .02 BAC, a confirmation test will be performed no sooner than 15 minutes after the first test. The confirmation alcohol test will be done by the use of a breath testing device.

C. REFUSAL

An employee may not refuse to take a drug or alcohol test when requested to do so consistent with the terms of this policy. Such a refusal will be considered equivalent to their testing positive. An employee will be considered as refusing to test if they:

1. Expressly refuse to take a test when so requested
2. Fail to provide an adequate breath, saliva, or urine sample without a valid explanation; or,
3. Engage in conduct that clearly obstructs the testing process.

D. NOTIFICATION OF TEST RESULTS

All drug test results will be forwarded to the City through an authorized and licensed testing agency, as the representative of the Medical Review Officer (MRO). Before the City is informed that a prospective or current driver has tested positive for illegal drugs, as defined by Idaho Code, the driver will be offered an opportunity to personally discuss the positive drug test with the MRO. The MRO will follow up on such information, as is deemed appropriate.

If the MRO finds no reason to doubt the validity of the positive test, that result will be conveyed to the City contact, as well as, the identity of the drug. If the driver cannot be located, the MRO, or his representative, may request that the City arrange for the driver to contact the MRO, as soon as possible, to discuss the results of the positive test. The MRO will communicate a positive result to the City without discussing the result with the driver if the driver expressly declines the opportunity to discuss the results of the test, or if the driver is instructed by the City to contact the MRO yet fails to do so within five (5) days of that notification.

Any non-driver employee who tests positive will be given the opportunity to discuss the results with the staff of the authorized and licensed testing agency, prior to the City taking disciplinary action. In talking with any such individual, the staff of the authorized and licensed testing agency will follow up on all information deemed necessary to resolve the employee's positive drug test. If it is determined that a prescription drug was the cause of the positive test, the employees test will be reported out as negative.

E. EFFECT OF TESTING POSITIVE FOR DRUGS OR ALCOHOL

Any prospective employee who tests positive for the presence of illegal drugs and/or alcohol, as defined in this policy, will not be hired. Any current employee who tests positive for the presence of illegal drugs and/or alcohol, as defined by this policy, will be terminated from employment with the City.

An employee is considered as testing positive for alcohol when their blood alcohol content (BAC) is .04 or above. If any employee tests between .02 and .039 BAC that employee will not be allowed to return to work for 24 hours from the time of the test. Any employee who twice tests between .02 and .039 BAC will be treated as having tested positive for alcohol.

Conclusion

The terms of this Drug Free Workplace Policy are intended to produce a work environment where employees are free from the effects of drugs, as defined by the Idaho Code and/or alcohol. Employees should be aware that the provisions of this policy may be revised when necessary. The City believes that by having the provisions of this Drug Free Workplace Policy its employees will enjoy the benefits of working in a safer and more productive work environment.

**CITY OF AMMON DRUG AND ALCOHOL FREE
WORKPLACE POLICY – APPENDIX A
ACKNOWLEDGEMENT OF RECEIPT
SIGNATURE SHEET**

RECEIPT:

I, _____ acknowledge that I have received a copy of the **City of Ammon Drug and Alcohol Free Workplace Policy, Appendix A** of the Ammon Personnel Policy Manual. I understand that it is my responsibility to review this policy appendix. My signature below affirms that I will read and understand the policy appendix. If I have questions regarding any aspect of the policy appendix, I will discuss these questions with my supervisor or the Designated Human Resource person as necessary until I fully understand the policies and procedures of the City of Ammon. I further understand that while some drugs may be legal in other jurisdictions, I am required as a condition of employment, to comply with this policy and will be subject to termination even if using a drug legally in another jurisdiction.

I understand that should this Policy be modified that I will be provided with a copy of the modification.

_____	_____
Employee Signature	Date
_____	_____
Human Resource (Witness to Employee Signature)	Date

**CITY OF AMMON DRUG AND ALCOHOL FREE
WORKPLACE POLICY – APPENDIX A
ACCEPTANCE AND UNDERSTANDING
SIGNATURE SHEET**

ACCEPTANCE:

My signature below affirms that I have read and understand the terms of the **City of Ammon Drug and Alcohol Free Workplace Policy** and that I have addressed any concerns or questions regarding this policy with my Department Head or the designated Human Resource person. I further understand that I am governed by the contents of this policy and it is my responsibility to remain familiar with all of the information contained therein. Any violation of this policy may be cause for termination.

_____	_____
Employee Signature	Date
_____	_____
Department Head (Witness to Employee Signature)	Date



Technology Use Policy

APPENDIX B

Of the City of Ammon

Personnel Policy

Appendix B Policy Initial Adoption Date

February 2, 2012

TECHNOLOGY USE POLICY

A. PURPOSE

This document provides policy for the City of Ammon (hereafter referred to as 'the City') by defining acceptable use conditions for employees when using City office equipment, including information technology, for *both* limited personal reasons and City business.

B. BACKGROUND

This policy establishes both privileges and responsibilities for employees in the City. It recognizes these employees as responsible individuals who are the key to making the City more responsive to its citizens. It allows employees to use City office equipment for non-City purposes when such use involves minimal additional expense to the City, is performed on the employee's non-work time, does not interfere with the mission or operations of the City and does not violate ethical conduct for employees.

Taxpayers have the right to depend on the City to manage their tax dollars wisely and effectively. Public confidence in the productiveness of the City is increased when members of the public are confident that it is well managed and assets are used appropriately. The relationship between the City and its employees who administer the functions of the City is one based on trust. Consequently, employees are expected to follow rules and regulations and to be responsible for their own personal and professional conduct. It is expected that employees shall put forth honest effort in the performance of their duties.

In return, employees are provided with a professional supportive work environment. They are given the tools needed to effectively carry out their assigned responsibilities. Allowing limited personal use of these tools helps enhance the quality of the workplace and helps the City to retain highly qualified and skilled workers.

This policy does not supersede any other applicable law or higher level directive or policy.

C. AUTHORITY

City employees may use City office equipment for authorized purposes only. As set forth below, limited personal use of City office equipment by employees during non-work time is considered to be an "authorized use" of City property.

D. GENERAL POLICY

City employees are permitted limited use of City office equipment for personal needs *if* the use does not interfere with official business and involves minimal additional expense to the City. This limited personal use should take place during the employee's non-work time. This privilege to use City office equipment for non-City purposes may be revoked or limited at any time. This policy in no way limits personnel in the use of City office equipment, including information technology, for official City activities.

1. DEFINITIONS

a. PRIVILEGE

Means, in the context of this policy, that the City is extending the opportunity to its employees to use City property for personal use in an effort to create a more

supportive work environment. However, this policy does not create the 'right' to use City office equipment for non-City purposes. Nor does the privilege extend to modifying such equipment, including loading personal, or downloaded software, and/or making configuration changes, except for necessary updates to already installed software.

b. CITY OFFICE EQUIPMENT INCLUDING INFORMATION TECHNOLOGY

Includes but is not limited to: personal computers and related peripheral equipment and software, library resources, telephones, facsimile machines, photocopiers, office supplies, internet connectivity and access to internet services, and e-mail. This list is not intended to limit City office equipment to the above, but rather is provided to show examples of office equipment as envisioned by this policy. City department managers may include additional types of office equipment.

c. MINIMAL ADDITIONAL EXPENSE

Means that employee's personal use of City office equipment is limited to those situations where the City is already providing equipment or services and the employee's use of such equipment or services will not result in any additional expense to the City or the use will result in only normal wear and tear or the use of small amounts of electricity, ink, toner or paper. Examples of minimal additional expenses include, making a few photocopies *in black and white*, using a computer printer to printout a few pages of material *in black and white*, making occasional brief personal phone calls, infrequently sending personal e-mail messages, or limited use of the internet for personal reasons. Personal copies or printouts in color must be preapproved by the appropriate department head.

d. EMPLOYEE NON-WORK TIME

Means times when the employee is not otherwise expected to be addressing official business. Employees may for example - use City office equipment during their own off-duty hours such as before or after a workday (subject to local office hours), lunch periods, authorized breaks, or weekends or holidays (if their duty station is normally available at such times).

e. PERSONAL USE

Means activity that is conducted for purposes other than accomplishing official or otherwise authorized activity. Users are specifically prohibited from using City office equipment to maintain or support a personal private business. Examples of this prohibition include employees or officials using a City computer and internet connection to run a travel business or investment service. The ban on using City office equipment to support a personal private business also includes employees or officials using City office equipment to assist relatives, friends, or other persons in such activities. Users may, however, make limited use under this policy of City office equipment to check their personal investments, or to communicate with nonofficial outside contacts such as a family member, friend or even a volunteer charity organization (examples).

f. INFORMATION TECHNOLOGY

Means any equipment or interconnected system or subsystem of equipment that is used in the automatic acquisition, storage, manipulation, management, movement control, display, switching, interchange, transmission, or reception of data or information.

2. SPECIFIC PROVISIONS ON USE OF EQUIPMENT AND SERVICES

All office equipment and software necessary for conducting City business is to be provided and installed by approved personnel. Personal software or software downloaded from the internet, other than necessary updates for already installed software, is not to be installed on City equipment without proper approval.

Employees are authorized limited personal use of City office equipment. This personal use must not result in loss of employee productivity or interference with official duties. Moreover, such use should incur only minimal additional expense to the City in areas such as:

- Communications infrastructure costs: i.e. telephone charges, telecommunications traffic, etc.
- Use of consumables in limited amounts: i.e. paper, ink, toner, etc.
- General wear and tear on equipment.
- Data storage on storage devices.
- Transmission impacts with moderate e-mail message sizes such as e-mails with small attachments.

3. INAPPROPRIATE PERSONAL USES

All users are expected to conduct themselves professionally in the workplace and to refrain from using City office equipment for activities that are inappropriate. Misuse or inappropriate personal use of City office equipment includes, but is not limited to the following:

- Any unprofessional use of City office equipment. For example, the creation or use of inappropriate or personal desktop icons, images, wallpapers or screensavers detract from a professional working environment.
- Any personal use that could cause congestion, delay, or disruption of service to any City system or equipment. For example, greeting cards, video, sound or other large file attachments can degrade the performance of the entire network. "Push" technology or "Peer to Peer" file exchange on the internet and other continuous data streams, such as streaming audio, video or real time applications such as; stock ticker, weather monitoring or internet radio, would also degrade the performance of the entire network and be an inappropriate use.
- Using the City systems as a staging ground or platform to gain unauthorized access to other systems.
- The creation, copying, transmission, or retransmission of chain letters or other

unauthorized mass mailings regardless of the subject matter.

- Using City office equipment for activities that are illegal, inappropriate, or offensive to fellow employees or the public. Such activities include, but are not limited to: hate speech, or material that ridicules others on the basis of race, creed, religion, color, sex, disability, national origin, or sexual orientation.
- The creation, download, viewing, storage, copying, or transmission of sexually explicit or sexually oriented materials.
- The creation, download, viewing, storage, copying, or transmission of materials related to illegal gambling, illegal weapons, terrorist activities, and any other illegal activities or activities otherwise prohibited, etc.
- Use for commercial purposes or in support of "for-profit" activities or in support of other outside employment or business activity (e.g. consulting for pay, sales or administration of business transactions, sale of goods or services).
- Engaging in any outside fundraising activity, endorsing any product or service, participating in any lobbying activity, or engaging in any prohibited partisan political activity.
- Use for posting agency information to external newsgroups, bulletin boards or other public forums without authority. This includes any use that could create the perception that the communication was made in one's official capacity as a City employee, unless appropriate approval has been obtained. This also includes uses or communications at odds with the City's mission or positions.
- Any use that could generate more than minimal additional expense to the City.
- The unauthorized acquisition, use, reproduction, transmission, or distribution of any controlled information including computer software and data, that includes privacy information, copyrighted, trademarked or material with other intellectual property rights (beyond fair use), proprietary data, or export controlled software or data.

4. PROPER REPRESENTATION

It is the responsibility of employees to ensure that they are not giving the false impression that they are acting in an official capacity when they are using City office equipment for non-City purposes. If there is expectation that such a personal use could be interpreted to represent the City, then an adequate disclaimer must be used. One acceptable disclaimer is:

"The contents of this message are mine personally and do not reflect any position of the City of Ammon."

5. ACCESS MANAGEMENT AND SECURITY

Users must not use other users' passwords, user ids, or accounts or attempt to capture or guess other users' passwords. Users must not hide their identity for malicious purposes or assume the identity of another user.

Users must not attempt to access restricted files or portions of operating systems, security systems, or administrative systems to which they have not been given authorization. Accordingly, users must not access without authorization: electronic mail, data, programs, or information protected under state and federal laws. Users must not release another person's private or restricted information.

Users must:

- Follow established procedures for protecting City assets and data, including managing passwords.
- Protect the physical and electronic integrity of equipment, networks, software and accounts on any City equipment.
- Not open e-mail from unknown senders or e-mail that seems suspicious.
- Not knowingly introducing worms or viruses or other malicious code into neither system nor disable protective measures: i.e. antivirus, spyware firewalls.
- Not install unauthorized software.
- Not send restricted or confidential data over the internet or outside the City network unless appropriately protected.
- Not connect unauthorized equipment or media, which includes but is not limited to: laptops, thumb drives, removable drives, wireless access points, PDAs, and mp3 players.
- Users have no inherent right to use City office equipment. Therefore, all departments will establish appropriate controls to ensure that the equipment is used appropriately.

6. PRIVACY EXPECTATIONS

Users do not have a right, nor should they have an expectation, of privacy while using any City office equipment at any time, including accessing the internet or using e-mail. By using City office equipment, users imply their consent to disclosing the contents of any files or information maintained or passed through City office equipment.

By using this office equipment, consent to monitoring and recording is implied with or without cause, including (but not limited to) accessing the internet or using e-mail. Any use of City communications resources is made with the understanding that such use is generally not secure, is not private, and is not anonymous.

System managers may employ monitoring tools to detect improper use. Electronic communications may be disclosed within the City to employees or officials who have a need to know in the performance of their duties. City officials, such as the Mayor, City Council members, system managers and/or supervisors, may access any electronic communications. If any equipment is being used in a manner believed to be a violation of the law, the same will be reported to law enforcement.

7. SANCTIONS FOR MISUSE

Unauthorized or improper use of City office equipment may result in loss of use or

limitations on use of equipment, disciplinary action or dismissal as well as possible criminal penalties and/or users being held financially liable for the cost of improper use. Sanctions for misuse shall be determined as appropriate based on the offense by the employee's Department Head and the City Administrator. Sanctions will result in formal action up to and including termination. In some instances, the determination will be referred to the Mayor and City Council.

SIGNATURE PAGES OF RECEIPT AND UNDERSTANDING
CITY OF AMMON TECHNOLOGY USE POLICY – APPENDIX B
ACKNOWLEDGEMENT OF RECEIPT
SIGNATURE SHEET

RECEIPT:

I, _____ acknowledge that I have received a copy of the **City of Ammon Technology Use Policy, Appendix B** of the Ammon Personnel Policy Manual. I understand that it is my responsibility to review this policy appendix. My signature below affirms that I will read and understand the policy appendix. If I have questions regarding any aspect of the policy appendix, I will discuss these questions with my Department Head or the Designated Human Resource person as necessary until I fully understand the policies and procedures of the City of Ammon.

I understand that should this Policy be modified that I will be provided with a copy of the modification.

_____ Employee Signature	_____ Date
_____ Human Resource (Witness to Employee Signature)	_____ Date

CITY OF AMMON TECHNOLOGY USE POLICY – APPENDIX B
ACCEPTANCE AND UNDERSTANDING
SIGNATURE SHEET

ACCEPTANCE:

My signature bellows affirms that I have read and understand the terms of the **City of Ammon Technology Use Policy** and that I have addressed any concerns or questions regarding this policy with my Department Head or the designated Human Resource person. I further understand that I am governed by the contents of this policy and it is my responsibility to remain familiar with all of the information contained therein. Any violation of this policy may be cause for termination.

_____ Employee Signature	_____ Date
_____ Department Head (Witness to Employee Signature)	_____ Date



Vehicle, Equipment Use and Driving Safety Policy

APPENDIX C

Of the City of Ammon

Personnel Policy

Appendix C Policy Initial Adoption Date

April 3, 2014

A. PURPOSE

1. This Policy outlines the use of vehicles and/or equipment for work used on behalf of the City of Ammon. For the purpose of this policy, vehicles shall be defined as any vehicle that requires a driver's license pursuant to Idaho State driving regulations. Equipment shall be defined as any mechanical apparatus that requires steering or guidance to be operated, which may or may not require a driver's license
2. Operators of City of Ammon owned or leased motor vehicles and/or equipment shall always drive safely, legally and courteously, remembering that they are directly responsible for maintaining both City of Ammon owned property and public trust.
3. The City of Ammon is committed to providing our employees the safest work environment possible that protects our employees, citizens and to also contribute to the wellbeing of their families and the community whenever possible. This Vehicle Equipment Use and Safety Driving Policy is intended to provide our employees with knowledge and guidelines to keep them and others safe while driving.
4. The City of Ammon encourages all employees to utilize the information in this policy even when 'off the clock'. The objectives of this policy are threefold:
 - a. To save lives and to reduce the risk of life-altering injuries to our employees, their families and others in the community;
 - b. To protect personal and financial resources; and
 - c. To guard against potential liabilities associated with vehicle accidents involving employees while driving on City time.
5. Employees are expected to operate vehicles and/or equipment safely. The City of Ammon considers the use of vehicles and/or equipment part of the working environment.
6. This policy applies to all employees and City volunteers* who operate vehicles and/or equipment on City business. These drivers will be referred to as "employee drivers" and will be reviewed by managers and supervisors to ensure full implementation and compliance.
 - a. *Volunteers are those that volunteer on a regular basis, not one-time volunteers.

B. SCOPE

1. This policy applies to all employees that must drive for work purposes. Any employee that drives a vehicle (city or personal) while 'on the clock' must follow the rules and regulations stated in this policy and those covered in training sessions.
2. Vehicles and/or equipment owned or leased by the City of Ammon are to be used for the functions of City of Ammon. Personal use or any other type of use must be authorized by the employee's supervisor and the City Administrator.
3. Some employees may be assigned a vehicle that is driven home; such personal use, if allowed, may be a taxable benefit. When applicable, the taxable benefit rate shall be calculated at the current Internal Revenue Service business mileage rate.

4. Vehicles and/or equipment over 26,000 gross vehicle weight, buses, and vans over 15 passengers require a commercial driver's license (CDL). The City of Ammon recognizes that certain drivers are exempted by State Statute 49-302-3; it shall be the determination of each Department Head to which the Statute applies to determine the requirement for those employees, regarding a CDL.

C. DRIVER ELIGIBILITY

1. Employees who drive City vehicles or drive personal vehicles for City related work must have prior authorization. The process to become an authorized driver consist of the following steps:
 - a. Employee must possess a valid Idaho driver's license.
 - b. Drivers must be at least 17 years of age.
 - c. Request to Add/Remove Driver Request Form must be submitted to HR Department with a photo copy of driver's license.
 - d. Employees must complete the City of Ammon's Driving Safety Training Program taught by an approved presenter for the safety program.
 - e. Prior to being hired all employees shall have a report drawn by the HR Director or their designee from the Idaho Repository. This report includes traffic violations. If in the opinion of the HR Director a person's driving record indicates excessive violations, the Department Manager shall be notified prior to hiring.
 - f. Employees must sign a New Driver Contract with the City of Ammon.
 - g. Prior to operation of a City owned vehicle or equipment, final approval by the HR Department must be given.
 - h. Should an employee's driver's license expire, be revoked or suspended, the employee shall immediately notify his or her supervisor. At the time of the suspension, the employee's City of Ammon vehicle-use privileges will be suspended until the employee's driver's license has been fully restored and validated. A long term suspension of an employee's driver's license may require that an employee be terminated.

D. TRAINING

The City of Ammon believes strongly in the value of its employees, their families, and the community. Therefore, all authorized drivers will receive driving safety training by a designated safety person during their new-hire orientation process. Additional training (review) will be provided annually. Authorized drivers are required to attend an annual driving safety training session, and all other employees are encouraged to attend. This training will be carried out by an authorized safety person and shall be scheduled as needed. Date and location of training sessions will be provided in advance.

E. DRIVER CONTRACTS

All authorized drivers will be required to sign a New Driver Contract Form acknowledging their awareness and understanding of the City of Ammon's driving safety policy regarding driving record checks, driver performance, driving safety rules, vehicle maintenance and procedures

for reporting of any traffic violations or accidents. Driver's Contracts shall be a requirement of employment and shall be received by the HR Department prior to the issuance of the first paycheck of a new employee. It shall be the employee's immediate supervisor's responsibility to submit this documentation prior to approval of an employee's time card for the first paycheck after an employee's hire date. Failure of the employee to provide the documentation required could result in termination effective on the issuance date of the first paycheck. Employees should understand that a GPS tracking device may be installed on any City vehicle. Actions of an employee not consistent with the employee's job requirements or duties may result in disciplinary actions including but not limited to termination.

F. AUTHORIZATION

After an employee has met all requirements of this policy to become an authorized driver, and the Department Head has submitted the required form requesting to add a driver to the authorized driver list, the HR Department will authorize employee for driving privileges and notify the Department Head. Any changes that might affect driver's authorization (driving accident, ticket, license suspension, etc.) must immediately be made known to the employee's immediate supervisor and immediately relayed to the HR Department by the Department Head. All steps will be taken to determine appropriate action and if a change is necessary to driver's authorization status.

G. DRIVING SAFETY RULES

The following driving safety rules shall apply to all city employees when driving a City of Ammon vehicle. Failure to abide by the driving safety rules could result in the loss of driving privileges, disciplinary action, and/or termination of employment.

1. Authorized drivers must follow all rules when driving on City time.
2. Driver should familiarize themselves with the vehicle or equipment they are going to drive or operate before use. They should know where all instruments are in the cab and location of turn signals, lights, wipers, flashers, emergency brake, etc. Seat and mirrors must also be adjusted.
3. Driver should confirm that insurance information is located in the glove box before using vehicle.
4. All employees and passengers are required to wear seat belts. EXCEPTION: Those persons meeting the exemptions of Idaho State Code 49-673-(2) shall be exempt from this requirement.
5. Driver must comply at all times with all traffic safety laws.
6. Driver should drive at an appropriate speed for the road conditions. This means that in some situations (rain, snow, etc.) drivers should drive slower than the posted speed limit.
7. Driver should not engage in aggressive driving acts. This would include, but not be limited to, tailgating, excessive speed, failing to signal intentions, running red lights, passing on right and making rude "gestures" to other drivers.
8. Pursuant to Section 4.B.13 of the Ammon Personnel Manual Non-City employees may ride in a City vehicle. Authorized Driver must ensure that all passengers are compliant with said section.
9. In addition to the employee assigned or permitted to drive a City of Ammon vehicle or equipment, he or she may allow others, as necessary, to operate the vehicle if they

have a valid driver's license and are 25 years of age or older. Vehicles assigned to employees to be taken home shall not be operated by a driver other than the employee assigned or permitted for any use other than City Business. For vehicles assigned to an employee to be used for business travel refer to Section 4.B.13 of the Ammon Personnel Manual.

10. Driver should never leave keys in the vehicle or leave the vehicle unattended while the engine is running. (In some cases the warming up of a vehicle during winter weather would be permitted).
11. Driver should park vehicle in such a manner that eliminates backing out whenever possible.
12. Unless for safety reasons, never attempt to push or pull another vehicle. This policy relates to privately owned vehicles.
13. Never transport hazardous (flammable, toxic, etc.) materials unless required by job and using appropriate vehicle and all necessary precautions.
14. Smoking, vaping, or use of any similar substance is not allowed in City vehicles.
15. Drivers shall not eat while driving.
16. Drivers shall not use handheld devices while driving. Hands-free devices are permitted. This does not apply to City of Ammon work-related cell phones or two-way radios when being used for audio communication on official City business. Exception: Sworn law enforcement officers and Fire Department Officials may use mobile communication devices in specific tactical situations.
17. Drivers should not attempt to perform any type of personal grooming while driving.
18. Alcohol and drugs are not allowed in City vehicles. They are also not allowed in personal vehicles being used for City business. Driving while under the influence of alcohol or drugs is also prohibited.
19. Drivers should not operate a vehicle or equipment anytime their ability to drive is impaired or affected by such things as fatigue, illness, injury, medication, etc.
20. Use turn signals to warn other drivers of your intentions.
21. Vehicles must not be left idling with no benefit to the public when parked or not in use to conserve fuel and save public funds.

H. PERSONAL VEHICLE USE

1. Employees who drive their personal vehicles and/or equipment on City business are subject to the requirements of this policy including:
 - a. Maintaining auto liability insurance with minimum state limits.
 - b. Providing proof of liability insurance to the designated HR person on an annual basis.
 - c. Maintain vehicle in a safe operating condition when driven on City business.
 - d. If driving a personal vehicle, employee's insurance is primary. In some cases, City of Ammon's insurance will provide secondary coverage.

I. CONDITION OF VEHICLE

1. Driver Inspection
 - a. Employees should inspect all vehicles before driving. Items to check are found on

the Driver Safety Inspection List which is available from Department Heads, the HR Department or on the City share website. Any needed repairs or problems that could be a potential danger should be reported to the immediate supervisor and the vehicle should not be driven. The supervisor shall forward the information to an authorized service agent so that maintenance or repairs can then be performed before use of vehicle will be allowed.

2. Fueling

- a.** Driver is responsible for refueling vehicle, as needed, before returning it to parking. All vehicles shall be refueled at the City's fuel station whenever the vehicle is in the local area. Check with the HR Department for gas credit card and refueling procedures when traveling outside of the local area. No personal purchases shall be made on City card.

3. Regular Maintenance

- a.** Employees, who operate City vehicles or have been assigned specific equipment to operate, are responsible for normal upkeep and repairs. Needed maintenance should be scheduled with an authorized service agent or under some circumstances the request should be submitted to the immediate supervisor.

4. Cleanliness

- a.** Drivers should keep vehicles clean. Any debris, food, drink cups, or other items should be removed and disposed of properly at the end of use.

J. FINANCIAL RESPONSIBILITY

- 1.** Drivers are responsible for any at-fault tickets, accidents and violations incurred while they are driving. This also includes payment of fines or other financial cost (insurance deductible, repairs, etc.) incurred as a result of such tickets, accidents and violations.
- 2.** Drivers are responsible for replacement cost for lost keys, locksmith cost for opening locked doors, replacement cost for lost keyless entry device and any other such cost as a direct result of their actions.
- 3.** Drivers will be financially responsible for cleaning of vehicle returned dirty beyond normal use.

K. ACCIDENTS

1. Accident Procedures

If involved in an accident, regardless of severity, call local authorities. When an accident occurs, the driver should:

- a.** Notify your immediate supervisor as soon as possible thereafter.
- b.** Get medical attention if necessary.
- c.** Provide first aid only when necessary and only to the extent you are trained.
- d.** Stay calm and don't engage in arguments or physical altercations.
- e.** Do not admit fault or make any accusations of guilt.
- f.** If possible, take pictures of the accident.
- g.** Make notes about the accident including as much information as you can. (Other drivers full name, licenses number, plate number, phone number, address and insurance company)
- h.** Never provide your home address or phone number. Provide the City of Ammon's information.

- i. Be honest and cooperative with police.
 - j. Only discuss situation with the police, City of Ammon officials, or representatives of the ICRMP Claims Department.
 - k. If driving personal vehicle, contact your insurance company.
 - l. Complete accident report form and provide a copy to your immediate supervisor.
2. Accident Investigation
- a. Drivers involved in accidents shall submit to an immediate and mandatory drug test following the accident. Department heads and immediate supervisors shall be responsible for ensuring the drug test procedure is initiated no later than one (1) hour after the accident occurs.
 - b. Drivers who are involved in an accident may be placed on temporary suspension. Employees placed on temporary suspension, should not drive again for City business until after completion of an investigation by either the Department Head and/or HR Department.
 - c. The driver's immediate supervisor will be notified of the outcome of the investigation and if the driver's authorization is denied, restored or if additional driver training will be required before authorization is granted.
 - d. The driver's immediate supervisor will be responsible for determining the corrective/disciplinary action taken if the accident is determined to have been preventable or their fault.

L. ROADSIDE ASSISTANCE

If a driver experiences trouble with the vehicle they should pull over and out of traffic. Move as far from danger as possible. Call their immediate supervisor or their designee and inform them of the situation. If unable to contact the supervisor, refer to the packet provided in the glove compartment of each City vehicle and call the next available person on the list for emergency contacts in the City. The supervisor or the emergency contact will make or authorize the driver to make the necessary arrangements to pick the driver up and to have the vehicle repaired or towed if needed.

**CITY OF AMMON VEHICLE, EQUIPMENT USE AND DRIVING SAFETY
POLICY APPENDIX C**

ACKNOWLEDGEMENT OF RECEIPT

SIGNATURE SHEET

RECEIPT:

I, _____ acknowledge that I have received a copy of the City of Ammon Vehicle, Equipment Use and Driving Safety Policy, Appendix C of the Ammon Personnel Policy Manual. I understand that it is my responsibility to review this policy appendix. My signature below affirms that I will read and understand the policy appendix. If I have questions regarding any aspect of the policy appendix, I will discuss these questions with my Department Head or the Designated Human Resource person as necessary until I fully understand the policies and procedures of the City of Ammon.

I understand that should this Policy be modified that I will be provided with a copy of the modification.

Employee Signature

Date

Human Resource (Witness to Employee Signature)

Date

CITY OF AMMON VEHICLE, EQUIPMENT USE AND DRIVING SAFETY POLICY

APPENDIX C

ACCEPTANCE AND UNDERSTANDING

SIGNATURE SHEET

ACCEPTANCE:

My signature below affirms that I have read and understand the terms of the Vehicle, Equipment Use and Driving Safety Policy and that I have addressed any concerns or questions regarding this policy with my Department Head or the designated Human Resource person. I further understand that I am governed by the contents of this policy and it is my responsibility to remain familiar with all of the information contained therein. Any violation of this policy may be cause for termination.

Additionally, the undersigned hereby acknowledges he/she may be given authorization to operate a City owned or City insured vehicle. I understand that this vehicle is to be regularly maintained and serviced, according to the service schedule outlined in the owner's manual or the instructions issued by the Fleet Safety Coordinator, whichever is appropriate.

Further, it is agreed this vehicle will be operated in a safe manner and in compliance with this policy. I agree to be responsible for all traffic and parking violations that occur while the vehicle is assigned to me.

I understand articles of this agreement apply regardless of who is operating this vehicle.

I agree to promptly report all accidents or incidents resulting in injury or damage to the vehicle or other property, no matter how slight.

I understand I am required to maintain a valid driver's license. Further, I herewith grant the City of Ammon the right to investigate my driver's license record at any time. My current driver's license is issued from the State of _____, License Number _____, Expiration Date _____.

I understand the operation of this vehicle in a safe operating condition is my responsibility. If this vehicle becomes unsafe, it is my responsibility to notify my supervisors immediately.

I have read and agree to the provisions of this vehicle assignment agreement and the requirements of the Policy.

DEPARTMENT HEAD: When assigning an employee, a specific vehicle, list the description below:

_____	_____
Employee Signature	Date

_____	_____
Department Head (Witness to Employee Signature)	Date

CITY OF AMMON VEHICLE, EQUIPMENT USE AND DRIVING SAFETY POLICY
APPENDIX C
NEW DRIVER CONTRACT

I acknowledge that I have read and understand the City of Ammon's Vehicle, Equipment Use and Driving Safety Policy, have attended or have been scheduled by my supervisor to attend, the driver safety training program and passed all required tests, understand the correct procedures for reporting any accidents or traffic violations and agree to abide by all rules and regulations of the City of Ammon. I also agree to the statements listed below and understand if I fail to meet any of the requirements or promises, my driving privileges could/will be suspended or revoked. Additional disciplinary action could also be taken, up to and including termination of employment depending upon the circumstance and severity of my driving actions or failure to meet these promises.

- I will abide by all requirements of the City of Ammon's Vehicle, Equipment Use, and Driving Safety Policy.

Employee Signature

Printed Name

Date

Department Head Signature

Printed Name

Date

A PHOTOCOPY OF EMPLOYEE'S VALID DRIVER'S LICENSE MUST BE ATTACHED TO THIS FORM AND SHALL BE KEPT IN THE EMPLOYEE'S PERSONNEL FILE.

CITY OF AMMON VEHICLE, EQUIPMENT USE AND DRIVING SAFETY POLICY

APPENDIX C

REQUEST TO ADD/REMOVE DRIVER

The Department Head requesting the addition or removal of a driver from the City approved driver list must complete this application, sign and date and submit to the Human Resource Department for approval. All information must be completely and accurately stated. Any omissions or inaccuracies will cause a delay or denial of authorization. Any questions please contact the Human Resource Department.

Check appropriate box: ☐ Add Driver ☐ Remove Driver ☐ Change Driver Information

Driver Information

Department: _____

Full Name: _____ Date of Birth: ____/____/____

Home Address: _____ City: _____ State: _____ Zip: _____

Home Phone: _____ Cell Phone: _____

Driver's License#: _____ State Issued: _____ Exp. Date: ____/____/____

License Class: _____ License Restrictions: _____ License Endorsements: _____

History

Check all that apply and provide dates, times and any pertinent details (for the past three (3) years. Use back page if needed.

☐ Job contingent upon authorization to drive? _____

☐ Accidents? _____

☐ Tickets? _____

☐ Convictions? _____

I certify that the information provided on this form is correct and accurate. I understand that this information will be used to obtain a record of my driving history from the Idaho State Repository. I further understand that the decision to authorize me as a driver for City of Ammon will be based on this information. I also acknowledge that I have attended or will attend the first available, driver safety training program, and that I have read and understand the City's Vehicle, Equipment Use and Driving Safety Policy and agree to abide by all rules and regulations of City of Ammon.

Employee Signature

Printed Name

Date

Department Head Signature

Printed Name

Date