

City of Garden City Employee Handbook Index

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Purpose

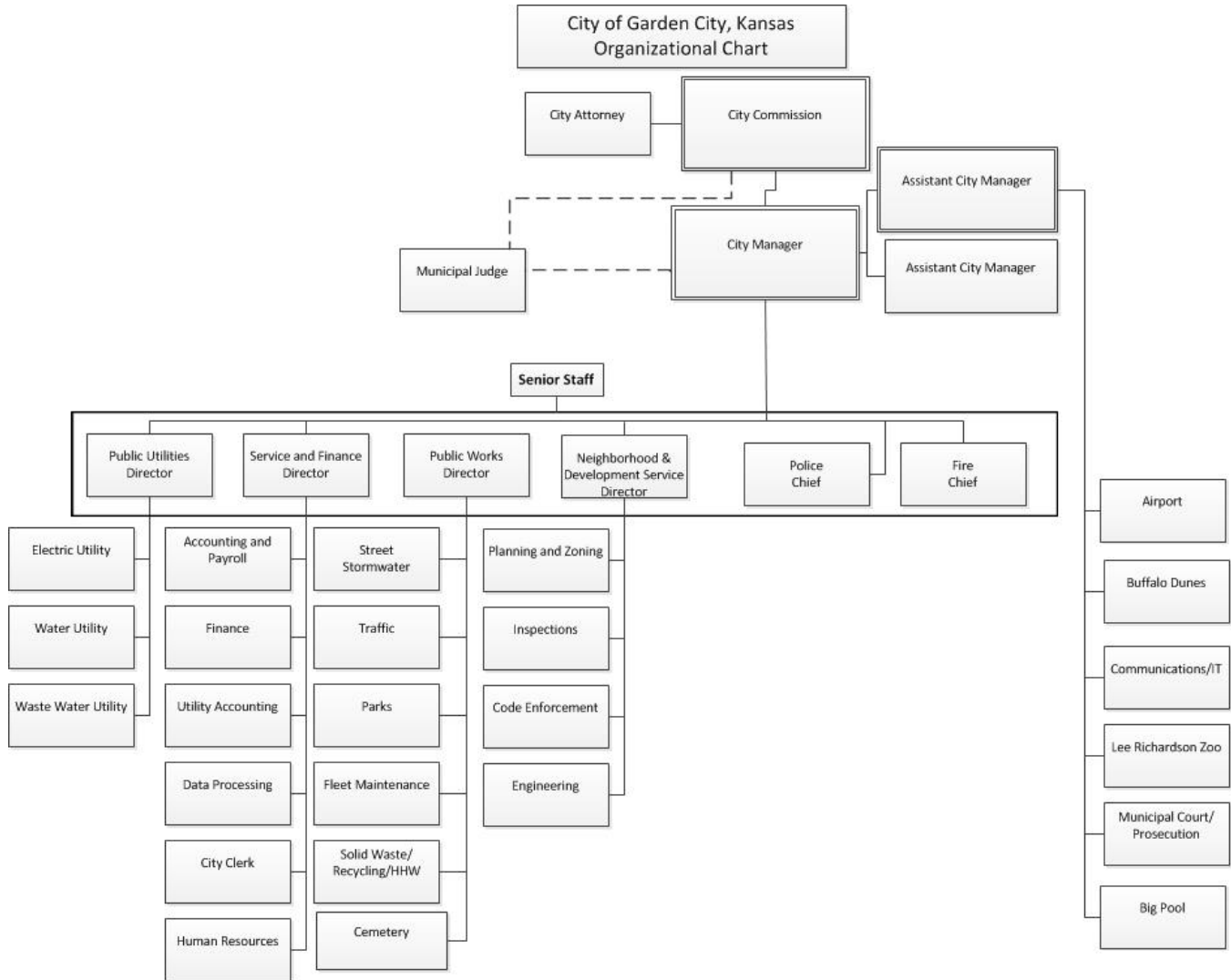
The purpose of our policies, practices and procedures in the Employee Handbook is to set forth guidelines regarding The City of Garden City as an employer and its respective employees. These guidelines cannot cover all possible circumstances which may affect the employment relationship. They are not absolute and inflexible rules and exceptions may be necessary in some instances. Changes may be made to these guidelines from time to time, and any such changes will become effective on the date of publication and delivery to employees unless otherwise specifically provided. Your suggestions for improvement to the guidelines will be welcomed and appreciated.

These guidelines do not create a contract of employment, either express or implied, for any person, nor shall the failure of The City of Garden City to apply any of these guidelines, in any given situation, give rise to any claim against the employer. All City of Garden City employees are employees-at-will and may terminate such employment at any time, or be terminated from such employment at any time, with or without cause.

Scope:

1. The Human Resources Director shall be responsible for distribution of copies of the Employee Handbook. All employees will be issued a copy of the Employee Handbook.
2. Because of the importance of human resources policies and practices in the conduct of the City's business, policies will be reviewed annually and revised as appropriate.
3. Any employee may recommend a change in policy to their supervisor or Department Head to improve public service and administration.
4. If a policy is changed, modified, deleted or added, the Human Resources Director will be responsible for making the change and distributing the policy in a timely manner.
5. Changes and new policy additions to the Handbook should be developed and reviewed by the City Manager, approved by the Commission and issued by the Human Resources Director. All employees will receive a copy of any changes in a policy, a new policy or will be advised of a policy to be deleted from the Handbook.
6. As used in the Handbook:
 - A. "Senior Staff" means an individual with the responsibility for the management and operation of an entire department or departments and provides recommendations directly to the City Manager and/or City Commission. Senior Staff will report directly to the City Manager.
 - B. "Department Head" means an individual with the responsibility for the management and operation of an entire department/division and provides recommendations directly to a Senior Staff member or the City Manager. Department Heads will report to Senior Staff members.

- C. "Supervisor" means an individual with the authority to assign, direct and review the work of one (1) or more subordinates.
- B. "Immediate Family" means the employee's spouse, children, brother, sister, parents, grandparents, stepparents, spouse's grandparents, grandchildren, stepchildren, father-in-law, mother-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law and any other member of the employee's household and other persons of similar associations.
- C. "Public Official" refers to City Manager and Commission.



Code of Ethics

BE IT RESOLVED, by the City Commissioners of the City of Garden City, Kansas, that the following be a "Code of Ethics for the Public Service of the City of Garden City, Kansas."

1. Declaration of Policy:

The proper operation of democratic government requires that public officials and employees be independent, impartial, and responsible to the people; that governmental decisions and policy be made in the proper channels and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a Code of Ethics for all officials and employees, whether elected or appointed, paid or unpaid. The purpose of this Code is to establish ethical standards of conduct for all such officials and employees by setting forth these acts or actions that are incompatible with the best interests of the City of Garden City, Kansas.

2. Responsibilities of Public Office :

Public Officials and employees are agents of public purpose and hold office for the benefit of the public. They are bound to uphold the Constitution of the United States and the Constitution of this State and to carry out impartially the laws of the nation, state, and municipality and thus to foster respect for all government. They are bound to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their office regardless of personal considerations, recognizing that the public interest must be their primary concern. Their conduct in both their official and private affairs should be above reproach.

3. Dedicated Service:

All officials and employees of the municipality should be loyal to the political consensus formally expressed by the electorate and the programs developed to attain those objectives. Appointed officials and employees should adhere to the rule of work and performance established as the standard for their positions by the appropriate authority. Officials and employees should not exceed their authority or breach the law or ask others to do so, and they should work in full cooperation with other public officials and employees unless prohibited from so doing by law or by officially recognized confidentiality of their work.
(10/29/03)

4. Fair and Equal Treatment:

- A. Interest in Appointments. Canvassing of members of the City Commission, directly or indirectly, in order to obtain preferential consideration in connection with any appointment to the municipal service shall disqualify the candidate for appointment except with reference to positions filled by appointment by the City Commission.
- B. Use of Public Property. No official or employee shall request or permit the use of city-owned vehicles, equipment, materials, or property for personal convenience or profit, except when such services are available to the public generally or are provided as municipal policy for the use of such official or

employee in the conduct of official business.

- C. Obligations to Citizens. No official or employee shall grant any special consideration, treatment, or advantage to any citizen beyond that which is available to every other citizen.

5. Conflict of Interest :

No City Commissioner or other official or employee, whether paid or unpaid, shall engage in any business or transaction or shall have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of his official duties in the public interest or would tend to impair his independence of judgment or action in the performance of his official duties. Personal as distinguished from financial interest includes an interest arising from blood or marriage relationships or close business or political association.

Specific conflicts of interest are enumerated below for the guidance of officials and employees:

A. Incompatible Employment

No City Commissioner or other official or employee shall engage in or accept private employment or render services for private interests when such employment or service is incompatible with the proper discharge of his official duties or would tend to impair his independence of judgment or action in the performance of his official duties.

B. Disclosure of Confidential Information

No City Commissioner or other official or employee, shall, without proper legal authorization disclose confidential information concerning the property, government, or affairs of the city. Nor shall he use such information to advance the financial or other private interest of himself or others.

C. Gifts and Favors

No City Commissioner or other official or employee shall accept any valuable gift, whether in the form of service loan, thing, or promise, from any person, firm, or corporation which to his knowledge is interested directly or indirectly in any manner whatsoever in business dealings with the City; nor shall any such official or employee.

1. Accept any gift, favor, or thing of value that may tend to influence him in the discharge of his duties, or
2. Grant in the discharge of his duties any improper favor, service, or thing of value.

D. Representing Private Interests Before City Agencies or Courts

No City Commissioner or other official or employee whose salary is paid in whole or in part by the City shall appear in behalf of private interests in any

action or proceeding against the interests of the City in any litigation to which the City is a party.

A City Commissioner may appear before city agencies on behalf of constituents in the course of his duties as a representative of the electorate or in the performance of public or civic obligations. However, no City Commissioner or other official or employee shall accept a retainer or compensation that is contingent upon a specific action by a city agency.

E. Disclosure of Interest in Legislation

A City Commissioner who has a financial or other private interest in any legislation shall disclose on the records of the Commission or other appropriate authority the nature and extent of such interest. This provision shall not apply if the Commissioner disqualifies himself from voting.

Any other official or employee who has a financial or other private interest, and who participates in discussion with or gives an official opinion to the City Commission, shall disclose on the records of the Commission or other appropriate authority the nature and extent of such interest.

6. Political Activity:

A. No appointive official or employee in the administrative service shall use the prestige of his position in behalf of any political party.

B. No appointive official or employee in the administrative service shall orally, by letter, or otherwise, solicit or be in any manner concerned in soliciting any assessment, subscription, or contributions to any political party; nor shall he be a party to such solicitation by others. Such appointed officials and employees shall not take an active part in political campaigns for candidates

C. No official or employee, whether elected or appointed, shall promise an appointment to any municipal position as a reward for any political activity.

7. Sanctions:

Violations of any provisions of this Code should raise conscientious questions for the City Commissioner or other official or employee concerned as to whether voluntary resignation or other action is indicated to promote the best interests of the City. Violation may constitute a cause for suspension, removal from office or employment, or other disciplinary action.

Mission Statement

The scope and purpose of the City's mission statement is to serve as a goal by which measurable performance oriented objectives and criteria may be established, by each department, with the sincere intentions to achieve equality, effectiveness and efficiency in providing facilities and services to the City of Garden City.

Mission

The Mission of the City of Garden City is to effectively, efficiently, and equitably provide services and facilities which meet the public needs of the people of the City, and enhance the quality of life In the community.

Organizational Values: Service, Community, and Performance

The City of Garden City, as an organization, places heavy emphasis on the values of Service, Community and Performance. As new employees entering into the City of Garden City, please take a moment to review what we mean when we say "our core values are comprised of Service, Community and Performance."

Service

As public servants, service to the public is our priority external value. We also value service within the organization, helping each other fulfill the organization's goals.

Community

The City organization is one piece of a complex network of public and private entities working to make Garden City a better place to work, live and play. We value being part of this progressive community and commit to recognizing those times when we are called upon to lead and those times when it is in the community's best interest to play a supporting role. As individual members of the City organization, we value the same character trait in each other and place no individual higher than another even though we are charged with performing varying tasks and responsibilities.

Performance

Externally and internally, the City organization and its employees undergo regular performance measurement, expect to have honest and open discussions about the results, and be rewarded or corrected consistent with those results.

Equal Employment Opportunity

Policy:

It is the policy of the City of Garden City to provide equal opportunity without unlawful discrimination based on race, color, religion, gender, age, national origin, disability, genetics, veteran status or any other unlawful reason. This policy applies to all terms and conditions of employment.

Comment:

The policy applies to all terms, conditions and privileges of employment including hiring, probation, training, placement and employee development, promotion, transfer, compensation, benefits, educational assistance, reduction in workforce and recall, social and recreation programs, employee facilities, termination and retirement.

1. The City will comply with all applicable Federal and State employment laws.

The Human Resources Director, who will report directly to the City Manager on matters relating to this policy, is responsible for formulating, implementing, coordinating and monitoring all efforts in the area of equal employment opportunity. The Human Resources Director's responsibilities include the following:

- A. Developing policy statements and recruitment techniques designed to comply with the equal employment policies of the City;
 - B. Complying with various statutory record keeping and notice requirements in order to ensure full compliance with all employment-related statutes and regulations;
 - C. Serving as liaison between the City and government agencies, minority and women's organizations and other community groups; and
 - D. Keeping management informed of the latest developments in the entire equal employment opportunity area.
2. The City will strive to develop a work environment which respects the rights of all employees regardless of race, color, religion, gender, age, genetics, national origin, ancestry, handicap and veteran status.
 3. It is the responsibility of Staff and those employees in a managerial role to ensure that the spirit and intent of this policy is implemented.

Employer – Employee Relations

Policy:

It is the policy of the City to implement fair and effective human resources policies and practices. We are committed to the principle that employees should discuss with management their comments, suggestions and problems. We retain the privilege of dealing with employees as individuals and prohibit solicitation of employees by outside organizations on company property.

Scope and Purpose:

1. The City's human resources goals include:
 - A. To provide equal employment opportunity and treatment regardless of race, color, religion, gender, age, national origin, genetics, disability, and veteran status;
 - B. To maintain the integrity of human resource functions, and also to being responsive to the needs of the City's departments;
 - C. To promote a basic respect for individual rights that leads to fairness and consistency in developing and administering policies and procedures that govern human resources activities;
 - D. To provide competitive pay and benefits;
 - E. To establish reasonable hours of work based on the City's service needs;
 - F. To monitor and comply with all applicable Federal and State laws;
 - G. To provide a safe and healthy working environment;
 - H. To provide training consistent with the City's requirements for those whose needs, capabilities and desires warrant such training;
 - I. To accept constructive suggestions which relate to methods, procedures, working conditions and the nature of the work performed; and
 - J. To establish appropriate procedures for employees to discuss matters of interest or concern with their immediate supervisors or Department Heads.
2. The City expects all employees:
 - A. To give a productive day's work;
 - B. To arrive at their departments and begin work on time;
 - C. To demonstrate a considerate, friendly and constructive behavior toward

fellow employees and to the people we serve; and

- D. To adhere to the policies adopted by the City.
3. The City retains the sole right to exercise all managerial functions including, but not limited to, the rights:
- A. To dismiss, assign, supervise and discipline employees;
 - B. To determine and change work hours and shifts;
 - C. To transfer employees within departments or into other departments and other classifications;
 - D. To determine and change the size and qualifications of the workforce;
 - E. To establish, change and abolish policies, practices, rules and regulations at will and as it sees fit with appropriate notice when possible and reasonable;
 - F. To determine and change methods by which its operations are to be carried out;
 - G. To determine and change the nature, location, goods produced, services rendered, business and quantity and continue operation of the business; and
 - H. To assign duties to employees in accordance with the City's needs and requirements and to carry out all ordinary administrative and management functions.

Employment-At-Will

Policy:

It is the policy of the City that all employees who do not have a separate, individual employment contract with the City for a specific, fixed term of employment are employed at the will of the City for an indefinite period. Employees may resign from the City at any time, for any reason, and may be terminated by the City at any time, for any reason, and with or without notice.

Scope and Purpose:

1. Employees who do not have a separate, individual written employment contract or collective bargaining agreement are employed at the will of the City and are subject to termination at any time, for any reason, with or without cause or notice. At the same time, such employees may terminate their employment at any time and for any reason.
2. No City representative is authorized to modify this policy for any employee or to enter into any agreement, oral or written, contrary to this policy. Supervisory and management personnel shall not make any representations to employees or applicants concerning the terms or conditions of employment with the City which are not consistent with City policies.
3. This policy shall be modified by any statements contained in this or any other employee handbooks, employment applications, recruiting materials, memorandums or other materials provided to employees in connection with their employment. None of those documents, whether singly or combined, shall create an express or implied contract of employment for a definite period nor an express or implied contract concerning any terms or conditions of employment.
4. At the time of hiring, employees shall be required to sign a written statement acknowledging their understanding that they are employed at the will of the City and are subject to termination at any time, for any reason, with or without notice, and with or without cause.
5. Completion of a training period shall not change an employee's status as an employee or change his terms or conditions of employment.
6. Nothing contained in this Handbook, employment applications, memorandums or other material provided to employees in connection with their employment shall require the City to have "just cause" to terminate employees or otherwise restrict the City's right to terminate an employee at any time or for any reason. Statements of specific grounds for termination set forth in this Handbook or elsewhere are not all-inclusive and are not intended to restrict the City's right to terminate at-will.

Recruitment Practices and Procedures

Policy:

It is the policy of the City of Garden City to be an equal opportunity employer and to hire individuals solely upon the basis of their qualifications for the job for which they have applied. A reasonable effort is made to hire employees for positions which make the best use of their abilities and in which they will be able to achieve personal satisfaction.

Scope and Purpose:

1. All position vacancies shall be advertised in a newspaper or newspapers of general circulation in the area; and/or technical and professional periodicals; and/or by such other means as the City Manager deems advisable. The announcements shall specify the title of the vacant positions, qualification requirements, manner of making application and other pertinent information.
2. Applications shall be made on standard forms provided by the City. Such forms shall require information covering training, experience and other pertinent information. All applications shall be signed and dated by the applicant.
3. All positions shall be open only to persons who meet the necessary requirements as listed in the position descriptions. An applicant for any position with the City must be a citizen of the United States or have legal authority to work within the United States. Upon employment with the City of Garden City pursuant to Resolution No. 2210, any applicant hired, appointed or assigned to a position designated as an Essential Responder must live within fifteen (15) miles of the corporate limits of Garden City. Personnel not assigned to an Essential Responder position are not limited to this requirement. Essential Responder positions:
 - A. All certified Law Enforcement Officers
 - B. Officers of the Fire Department
 - C. Electric Supervisor and Lineman
 - D. All utility and public works personnel assigned to "On Call" duty
 - E. Equipment Operators – Streets and Parks
 - F. All Animal Keepers
 - G. Airport Operations employees
 - H. All Department Heads
 - I. Any other personnel as determined by the City
4. Applications will be accepted and for vacant positions from persons desiring employment with the City who apply during regular business hours or via the City of Garden City on-line application or through HrE Partners.
 - A. The City will consider both internal and external applicants for employment. The most qualified candidate will be selected for the position.
 - B. The City will not pay any employment agency fees for unsolicited referrals of

individuals to fill job openings. However, for certain designated hard-to-fill professional or management jobs approved by the City manager, the City may pay for recruiting assistance from selected employment agencies and professional recruiters.

- C. When a Department Head or other manager or supervisor determines that there is a requirement for one (1) or more new employees or to replace exiting employees, he or she shall submit a written request to the City Manager and forward approved request to the Human Resources Department.
 - D. To aid the process of selecting those most qualified for the job, the City may use employment tests as a part of normal hiring procedures for certain positions.
 - E. If job openings are to be filled from within the City, the openings will be posted and/or issued as a written memo to Department Heads. The decision to transfer an employee applicant will require approval of both Department Heads. See "Transfers".
5. If it is determined that employees will be hired from outside the City, the following procedures shall be followed:
- A. The initial interview of applicants being considered for employment will be conducted by the department designee and/or a representative from the Human Resources Department.
 - B. It is the Department Head's responsibility to determine whether an applicant is qualified for the position. If the Department Head wishes to hire the candidate, they will forward the candidate's application to the Human Resources Department so that a conditional offer of employment can be extended. Reference checks will be completed by the Human Resources Department.
 - C. The candidate will complete the conditional offer paperwork.
 - D. Subsequent to the completion of the conditional offer paperwork, the Human Resources Department will conduct a MVR check and criminal background check. In addition, any necessary employment tests (which will include a physical and drug screen) will be administered and, where appropriate, credit history investigations will be commenced. Prior convictions will not necessarily disqualify an applicant for employment.
 - E. Public Safety Personnel (Police and Fire) utilize the basic guidelines of this policy but have a more detailed employment application and testing procedure (which may include polygraph, drug, psychological, physical, oral and written tests) to determine qualified candidates. Such hiring activities will be made by the Professional Standards Officer for the Police department and the Fire Chief for the Fire Department.
 - F. The Human Resources Director will review the conditional offer paperwork,

application, reference and background documents. The conditional offer will either be approved or rescinded.

- G. Orientation of the new employee shall be conducted by an employee from Human Resources. Applicable safety training will be conducted by the Human Resources Department and individual departments. Training of the new employee is the responsibility of the supervisor.
6. All representatives of the City should be aware that employment with the City is at-will and should exercise great care not to make any representations otherwise. Therefore, during the recruitment, hiring and orientation process, no statement shall be made promising permanent or guaranteed employment or promotion.
 7. Former employees who left the City in good standing may be considered for re-employment. Former employees who resigned without adequate nomination or who were dismissed may not be considered for re-employment within the department they left. A previously terminated employee who is re-employed will be considered a new employee from the date of re-employment unless the break in service is less than thirty (30) days, in which case the employee shall retain accumulated seniority. Length of service for the purposes of benefits is governed by the terms of each benefit plan. Employees who retire may be eligible, in certain circumstances, to be considered for rehire.

Nepotism

EMPLOYMENT OF RELATIVES

1. A person in the immediate family of any employee of the City will not be appointed to any position which would:
 - A. Create either a direct or indirect supervisor/subordinate relationship with a family member; or
 - B. Create either an actual conflict of interest or the appearance of a conflict of interest.
2. The City will make efforts to reassign or transfer employees affected by this policy. However, the feasibility and best interests of the City will be the first consideration in such matters.
3. If a reassignment or transfer cannot be provided, affected employees will have three (3) days to determine which one will resign. If a decision cannot be made by affected employees or the employees request to defer such a decision, the City will make the decision based on factors that are in the best interests of the department and City.
4. The State of Kansas, as well as the City, recognizes "Common Law" marriage. Employees living under common law marriage will be affected by this policy.
5. The City Manager may waive this policy when clearly in the best interests of the City.

Pay Plan

Philosophy:

The compensation philosophy of the City of Garden City is to provide an equitable compensation program for all employees. The central concept of the Pay Plan is that job performance will be the key determinant of salary adjustments.

The purpose of the Pay Plan is to attract, retain and motivate employees through the payment of financial compensation that is commensurate with the individual's ability, responsibility and contribution toward the City's goals. The program is concerned with providing a compensation framework to inspire the development and progress of each employee and is designed to recognize and reward outstanding performance and achieve equitable compensation.

Objectives:

The objectives of the City of Garden City performance-based program are:

1. To clearly define the duties and responsibilities of each position through written job descriptions.
2. To provide compensation that is fair with respect both to other similar jobs in the City and to be competitive with those jobs outside the City.
3. To provide incentives and recognition for superior performance.
4. To provide a system to identify and provide a means to upgrade substandard job performance.
5. To comply with applicable federal, state and local regulations.
6. To establish a system that is fiscally prudent and cost effective.
7. To provide a program that is understood by employees.
8. To provide a Pay Plan that can be easily administered and maintained.

Compensation Philosophy:

The compensation program for the City of Garden City is based on the following policy:

1. Competitiveness

The City will endeavor to be competitive within the region surrounding Garden City and comparable cities with total compensation of direct pay, indirect pay (e.g., benefits) and career advancement, etc.

2. Compensation Grade

Each job in the City will have a compensation grade defined by minimum and maximum dollar limits and a midpoint. The range defines the pay opportunities for the job. The pay for each employee will be within the compensation grade for the job. The compensation grades will be reviewed periodically and revised to changing competitive position, economic conditions and compensation objectives. When it has been determined that a revision to a grade is necessary, the Human Resources Director, with the approval of the City Manager, may recommend salary adjustments for employees assigned to that grade.

3. Calculation of Hours for Pay

The calculation of hours “actually worked” does not include paid hours during which no work is performed such as vacation, sick leave, paid holiday or other types of leave time. Compensation will be computed on hours actually worked before other benefit time may be used to compute normal work week hours.

4. Job Description

Each job in the City will have a written job description. The descriptions will be reviewed a minimum of every twelve (12) months and signed by both the employee and the immediate supervisor. The description is the basis for job evaluation and performance appraisal.

5. Job Evaluation

Each job in the City will be placed in a compensation grade on the basis of job evaluation.

6. Performance Appraisals

Each employee's performance will be appraised in writing following the six (6) month training period in the position and annually on the anniversary date of the position thereafter.

7. Salary Changes

Employees may be given salary increases of three (3) types:

A. Performance

To reward satisfactory to outstanding performance. From time to time The City Manager can recognize employees for their extraordinary efforts by paying them a bonus.

Employees who achieve licenses or certifications required by Department Heads or law will be eligible for a two percent (2%) salary adjustment with the City Manager's approval. The certification could include, but is not limited to, Water Operator II, III, IV; Wastewater Operator II, III, IV; ICBO Building Inspector in electric, mechanical, building or plumbing; Journeyman Lineman; etc.

The City will train personnel for certification examinations as follows:

- a. First and second attempts. The City will pay all expenses.
- b. Third attempt or more. All expenses incurred will become the responsibility of the employee. When an examination is held in conjunction with a workshop, training session or seminar for which the employee is scheduled, the City will pay for all expenses for the workshop or training session. The employee will be responsible to pay the examination fee.

B. Promotion

To recognize and reward the assumption of responsibilities that are significantly higher in character and scope than the previous job at the time of appointment.

- C. Adjustment - To respond to situations that adversely affect the City's competitive position or that adversely affect internal equity (e.g., adjustments to the compensation grade minimum, see No. 2 above.) The City Manager can make a one-time adjustment to an employee's pay.

8. Administration

The administration of the pay program will be under the direction of the Human Resources Director. In this regard, the Director will:

- A. Recommend changes in the basic philosophy and objectives of the compensation policy.
- B. Ensure that job descriptions are kept current.
- C. Ensure that reclassifications and job evaluations for new positions are done on a timely basis.
- D. Ensure that performance appraisals are conducted as required.
- E. Recommend compensation increase budgets.
- F. Recommend compensation administration guidelines and ensure that the guidelines are implemented and periodically updated.
- G. Annually review and recommend any necessary alterations with respect to the adopted compensation and classification plan and department organization charts.
- H. Provide continuing training in effective evaluation techniques for supervisory personnel as necessary.

Training Period

Policy:

It is the policy of the City that all new employees and all present employees transferred or promoted to a new job shall be placed in a training period of at least six (6) months except for Police and Fire, which is one year. All City of Garden City employees are employees-at-will and may terminate such employment at any time, or be terminated from such employment at any time, with or without cause.

Scope and Purpose:

1. During the training period the employee's job performance will be carefully observed by the Supervisor. If, during the training period, an employee violates a City policy or procedure, the employee will be subject to disciplinary action up to and including termination.
2. After the first six (6) months of the training period, the supervisor will prepare a written evaluation of the employee's job performance. Copies of the evaluation will be forwarded to the Department Head and the Human Resources Department for inclusion in the employee's file. A new hire and promotional employee will be eligible for a pay for performance increase after one (1) year based on their evaluation.
3. Non training status will be granted to the employee after a six (6) month training period (twelve (12) months for Police Department) if the employee's job performance is satisfactory. A new or transferred employee may be granted an extension on one (1) to six (6) months of training if additional time is necessary for achieving satisfactory job performance and/or continued evaluation. This extension will be directed by the Senior Staff member and/or City Manager.
4. For employees terminated during their training period, a written evaluation or discipline documents will be prepared by their supervisors which will include a description of the actions taken to assist the employee. Copies of these documents will be forwarded to the Department Heads and Human Resources Department.
5. Transferred or promoted employees who are unable to perform satisfactorily on their new jobs during or at the end of their training period may, at the discretion of the City Manager, be returned to their original jobs, if a vacancy exists, or may be terminated.
6. New employees, during their training period, shall accrue benefits for paid absences, such as sick leave, vacation leave and other benefits. New employees may begin utilizing vacation after six (6) months of service. Any vacation leave time taken by the employee prior to six (6) months of service will be taken as unpaid leave time unless otherwise noted in their conditional offer of employment.
7. Current employees who are not otherwise in a training period who have transferred to a new job and been placed in training are eligible for paid holidays, but may not take any sick or vacation until they have worked in excess of thirty (30) days.
8. Successful completion of the training period will result in enhanced benefits for an employee. However, employment will continue at-will, and the employee may be discharged at any time for any reason.

9. If an employee is laid off or voluntarily resigns in good standing during the training period and is reappointed at a later date and providing previous services have been satisfactory, the employee shall be given credit for the portion of the training period completed before being laid-off, provided that re-employment occurs within six (6) months of the resignation or layoff.

Transfer

Policy:

It is the policy of the City that it may transfer employees, from time to time, from one job to another based on the needs of the organization.

Scope and Purpose:

1. The City retains complete discretion in handling employee transfers. Acceptable reasons for transfer may include, but are not necessarily limited to, fluctuations in department workloads or production flow, better utilization of human resources, increased career opportunities, health considerations and personal preferences.
2. An employee's basic eligibility for transfer will be determined by the requirements of the new job. In addition, the employee must have held his current position for at least six (6) months and have both a satisfactory performance record and no adverse disciplinary actions during the same time period unless there is a business reason to transfer prior to six (6) months.
3. Position openings and promotions for which management seeks candidates from within the City must be posted regularly on the employee bulletin board.
4. Eligible employees requesting transfer will be considered in the following order:
 - A. Employees in the same department as the job opening;
 - B. Employees who are being considered for a reduction in workforce or because of the elimination of their job;
 - C. All other employees.
5. Requests for transfers will be handled as follows:
 - A. If a job opening exists and the employee is eligible, application must be made by completing an internal application.
 - B. The candidate will be allowed time off with pay for job interviews related to transfers.
 - C. The Department Head with the job opening and the employee's current Department Head will jointly make the final transfer decision.
6. Transferred employees will be placed on training status for a period of at least six (6) months. During this period, the provisions of the training policy will apply. In addition, transferred employees may be required to have a medical examination if they accept certain positions with the Fire or Police Department.
7. Employees transferred to a job within the same salary range will not receive a reduction in their existing rate of pay.
8. Employees transferred to a job outside of the salary range will be adjusted according to skill level of the individual in regards to the new position.
9. Transferred employees are eligible for paid holidays, but may not take any sick or vacation until they have worked in excess of thirty (30) days.

Promotion

Policy:

It is the policy of the City to hire employees for entry level and vacant positions, to provide training and development for employees when deemed necessary and to make available to employees promotions to higher level positions when deemed appropriate. To fill vacancies, both internal and external candidates will be considered for employment with the City. It is the preference to promote from within but the City endeavors to hire the best qualified candidate.

Scope and Purpose:

1. All employees are encouraged to seek advancement opportunities and to obtain promotion and career guidance from their supervisor and Department Head.
2. An employee's basic eligibility for a promotion will be determined by the requirements of the new job. In addition, the employee must have held his current position for at least six (6) months and have both a satisfactory performance record and no adverse disciplinary actions during the same period.
3. Job openings that may be opportunities for promotion will normally be posted on the employee bulletin board, via email or City website and/or announced by the Department Heads. When promotion opportunities are posted:
 - A. Interested employees must complete a Job Transfer and Promotion Form and notify their Department Head before submission to the Human Resources Director.
 - B. Supervisors and Department Heads may initiate the procedures within the same time period and propose employees for the position.
 - C. The Human Resources Director and affected Department Heads will, at their discretion, solicit outside candidates during or after the posting period.
4. Current internal candidates for promotion will normally be screened and selected on the basis of attendance and work records, performance appraisals and job related testing.
5. Promoted employees will be placed on training status for a period of at least six months. During this period, the provisions of the training policy will apply.
6. Current employee selected for promotion shall receive an increase in pay of 5% or the entry level to the salary to the compensation grade, whichever is higher. An increase can be higher than 5% if there are qualifications that warrant more and are approved by the City Manager.
7. No consideration shall be given to political or partisan endorsement for promotions to positions in the City's service; only merit and fitness for promotion shall be considered.

Demotion

Policy:

It is the policy of the City that an employee may be demoted from a position in one classification range to a position of another classification range as a result of performance evaluation, transfer or for disciplinary purposes.

1. When an employee is demoted to a position where the employee's current rate of pay is above the maximum range for the position, the employee's rate of pay shall be decreased, second the employee will be assigned to the maximum salary rate of the new position until a revision of the Pay Plan is proposed by the Human Resources Director, Compensation Committee and City Manager and approved by the City Commission.
2. If the employee's current rate of pay is within the salary grade for the new position the pay rate of the employee will remain unchanged.
3. A demotion must be approved by the Department Head, Senior Staff member and City Manager and written notice shall be given to the employee.

Termination of Employment

Policy:

It is the policy of the City to terminate employment because of an employee's resignation, discharge or retirement; or a permanent reduction in the workforce. Discharge can be for any reason not prohibited by law. Employees may resign at any time, and the City reserves the right to terminate employment for any reason.

Scope and Purpose:

1. All employees are expected to give written notice of their intent to resign or terminate employment. Failure to give written notice may result in loss of accrued vacation benefit, and ineligibility for re-employment. All employees are requested to give at least two weeks' notice to be considered an employee in good standing.
2. Employees who resign and provide two weeks' notice are eligible to take personal days or vacation time to cover the final two weeks leave time with the approval of the Department Head. Sick time cannot be used during this time.
3. For policies and procedures governing discharge see Employee Behavior and Discipline Policy.
4. For policies and procedures governing termination on account of retirement, see Retirement.
5. Selections for termination because of a permanent reduction in force will be made according to the provisions of Reduction in Workforce and Recall policy.
6. Any employee who is absent from work without having notified his immediate supervisor of the absence or the reason for it will be considered as having resigned after the second consecutive day of absence.
7. Department Heads will forward, prior to serving, such notices of resignation or termination requests to the Human Resources Director for review and to the City Manager for approval. These notices will be accompanied by supporting documentation.
8. The Human Resources Director will conduct an exit interview not later than the employee's last working day. The individual conducting the interview will:
 - A. If the termination is voluntary, determine the actual reason or reasons why the employee is leaving so that, where appropriate, action can be taken to address any concerns.
 - B. Give an explanation of all benefit plans.
 - C. Determine the employee's availability for future employment, should the supervisor's written evaluation recommend such employment, and explain City policy on references.

- D. Obtain the employee's correct address for mailing Internal Revenue Service Form W-2 and the correct mailing addresses of all qualified beneficiaries and any dependents that are eligible to continue their health care benefits under the City's health insurance plan in compliance with the COBRA.
 - E. Remind the employee to take away any personal belongings and to return all City property.
9. If any City property in the employee's possession has been lost or damaged, the cost of replacing such property will be paid directly to the City of Garden City.
 10. The Finance Department will arrange to have the final pay for terminated employees available on the next scheduled pay day. The Department Head will be responsible for the return by terminated employees of all City property in their possession, including City identification cards, keys, credit cards, tools and cars.
 11. Termination and discharge procedures are only guidelines and do not constitute an expressed or implied contract between the City and its employees. In addition, specified grounds for termination are not all-inclusive since the City maintains the right to terminate employment for any reason.

Reduction in Workforce and Recall

Policy:

It is the policy of the City to attempt to provide regular and continuous full-time employment for its employees. However, in the event it becomes necessary for the City to reduce its number of employees, due to adverse economic or other conditions, a reduction and recall of workforce shall be conducted consistent with City requirements, and in accordance with the procedures set forth below. The City Manager reserves the right to alter the procedure in order to assure adequate productivity and delivery of services.

Definitions:

1. "Reduction in Workforce" is any separation from work for an indefinite period in excess of five working days. It does not apply to suspensions, medical conditions or leaves of absences. (See Attendance and Leave Policy)
2. "Demonstrated ability" means the employee's current ability to perform all, or substantially all, of the job duties of a position without additional training, education or experience.
3. "Length of service" is measured from an employee's original date of employment with the City. Employees with a break in service may be credited for their prior service as a factor in making layoff decisions.

Scope and Purpose:

1. Within the City, exempt and non-exempt employees shall be selected for layoff in the following order:
 - A. Temporary and part-time employees shall be laid off first;
 - B. Employees that are within the confines of the training period shall be laid off next; and
 - C. Full-time employees shall be laid off based on their demonstrated performance, critical aspect of their job and duties, required training and development of a job and length of service, provided that the employees who are retained have the demonstrated ability and fitness to perform the available work.
2. All recommendations for a reduction in workforce based on the above criteria shall be approved by the City Manager.
3. Employees selected for layoff shall be given as much advance notice as is reasonable and as circumstances allow. Employees will be informed of the reason for the layoff, of the estimated length of the layoff and of any right to appeal their selection for layoff.

4. The Human Resources Director may provide assistance to affected employees, including:
 - A. Out placement counseling;
 - B. Referral to employment agencies; and
 - C. Information concerning unemployment benefits offered by the City, local support groups and State and Federal assistance.
5. Unless informed otherwise at the time of reduction in workforce, employees will remain on a recall list for a period of one (1) year following layoff. While on the recall list, employees should report to the Human Resources Director if they become unavailable for recall. An employee who fails to keep a current home address on record with the Human Resources Director will lose their recall rights.
6. Employees will be recalled according to need, classification or ability to do the job. Notice of recall shall be sent by certified mail, return receipt requested, to the current home address furnished by the employee to the Human Resources Director. Unless an employee responds to a recall notice within seven (7) days following the day on which the notice was sent, the employee's name will be removed from the recall list and terminated from City employment.
7. Credit for retirement benefits will be in accordance with the Kansas Public Employment Retirement System.
8. No vacation or days of paid absence will be earned or used during layoff. When an employee returns to work following recall, however, the employee may use any vacation or days of paid absence accumulated prior to the layoff. If the layoff exceeds one hundred twenty (120) days, accumulated vacation pay may be paid.
9. The Human Resources Director will answer any questions concerning benefits. Group medical/health programs will be available to affected employees at their own cost and payable each month. Continuation of benefits under COBRA is eligible to those covered employees who lose their single or family health coverage benefits due to voluntary termination, strike, layoff, discharge or reduction in work hours.

Outside/Secondary Employment

Policy:

It is the policy of the City to allow its employees to hold a second job, subject to certain restrictions as outlined below. Outside employment for full-time employees is not encouraged, however, and the prior approval of the Department Head and City Manager must be obtained before any outside employment or work activity is undertaken. Outside employment is normally limited to twenty (20) hours per week.

Scope and Purpose:

1. The City requires that employee activities away from the job must not compromise the City's interests or adversely affect the employee's job performance and ability to fulfill all responsibilities to the City.
2. Before requesting permission to seek outside employment, employees are cautioned to consider carefully the demands that such additional employment will create. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel or refusal to work overtime or different hours. If outside employment does cause or contribute to any of these situations, such employment must be discontinued; and if necessary, normal disciplinary procedures will be followed to deal with the situation.
3. Requests for permission to accept outside employment, including self-employment, should be submitted in writing to the employee's Department Head, Senior Staff member and City Manager. The request should state the name and address of the outside employer, the nature of the job and the hours of employment. The Senior Staff member will forward the request to the City Manager recommending either approval or disapproval. The City Manager's decision will be final.
4. In considering requests to accept outside employment, Department Heads and the employees(s) will be particularly concerned about those that:
 - A. Will reduce the employee's efficiency in working for the City; and
 - B. May adversely affect the City's image.
5. All employees are expressly prohibited from engaging in any activity that conflicts or compromises the City's best interest. This prohibition includes the unauthorized use of any City tools, equipment or property. In addition, employees are not to conduct any outside business during paid working time, including paid break periods.
6. Employees who have accepted outside employment are not eligible for paid sick or personal absence when the absence is used to work on the outside job or is the result of an injury sustained on the second job.

Volunteers

Policy:

It is the policy of the City to establish guidelines for the use of volunteer personnel in departmental operations complying with existing Federal and State Law.

Individuals who volunteer to perform on a part-time basis as a public service are not considered employees of the public agency

Definitions:

1. "Paid Volunteers" - Individuals who volunteer for fire services on a part-time basis may receive reasonable expenses, benefits, nominal fees and retain volunteer exemption under FLSA and KSA 44-508.
2. "Non-Paid Volunteers" - Individuals who volunteer to perform public service on a part-time basis and who receive no fees or remuneration for their work are considered and administered as volunteer workers under the FLSA.

Scope and Purpose:

1. Volunteer workers may be utilized by City Departments in their operations in the following order of preference and general terms:
 - A. Volunteers from other governmental organizations who choose to volunteer or who may be directed to perform public service, i.e. Community Corrections, Volunteers Inc.
 - B. Community Service organizations who individually or collectively volunteer their services, i.e. Boy Scouts, Girl Scouts, High School and High School Clubs, FOLRZ, Buffalo Dunes Men's Association, etc.
 - C. Volunteers from the community who individually wish to offer their services and approach the City or individual department i.e. LRZ Docents.
 - D. Paid volunteers who choose to serve in the Fire Department.
2. Volunteer help while engaged in service through a Public/Private, Community or other governmental agency or who individually approach the City to volunteer will be limited to the type of work in which they will be permitted to engage. Examples are:
 - A. Clean up of grounds, buildings, rooms, etc., to include picking up trash or debris, emptying waste baskets, sweeping floors, halls, sidewalks, washing windows, halls, restrooms or waxing floors using small motorized equipment.
 - B. Working on grounds, lawns, shrubs, trees, flowers to include digging holes for trees and shrubs, carrying water in pails as needed, lifting or carrying plants, shrubs or trees to planting area, hoeing flower beds, assisting in fertilizing,

weeding and running hose for watering. Must be trained or qualified to operate a small motorized lawn mower. Perform under a department supervisor.

- C. Paint all types of surfaces for small projects, use pliers, screwdrivers and hammer, saw, files and other basic elementary tools to complete small work projects. May be trained and qualified under direct supervision to use hand powered tools.
- D. Perform office work, typing letters, labels, envelopes, notices, invitations, minutes, answers telephone, direct calls, file, sort, collate, run copier and other general office tasks. Perform work with general supervision.
- E. Assist with department public relations. This may include serving as a tour guide, explaining department functions and history to visitors, employees and media. Perform under a department supervisor.
- F. May assist a regular worker in performing duties within a public zoo. Will require training before being allowed to assist in handling/feeding animals or cleaning cages or enclosures. Will perform under direct supervision at all times.
- G. May hang posters, deliver posters and distribute literature to schools, organizations, community, social and civic functions, decorate department or public buildings for community celebrations, parades and other events. Will perform under general supervision.
- H. May assist in recycling center. Duties would include sorting recyclables and assisting the public to unload their recyclables
- I. Volunteers will not be permitted to use large power tools, i.e., power riding lawn mowers, front-end loaders, bobcat, snow removal sanders, dump trucks, road maintainers, etc., unless they have been specifically trained and are qualified to operate the above tools and equipment. Will perform under direct supervision.
- J. Volunteers will not be permitted to work around or with hazardous materials and/or chemicals unless they have been trained, the training has been documented and they are under the direct supervision of a department Foreman.
- K. Volunteer workers between the ages 15, 16 & 17 will be permitted to perform those duties listed per FLSA and DOT and KSA 38-602, 38-603 and 38-614 only.
- L. Paid Fire Volunteer will be permitted to use any tools or equipment, once trained, while performing their assignments upon the approval of their supervisor.
- M. Any changes, modification or revision of duties to be performed by volunteer workers will be approved in advance by the City Manager.

3. Insurance Coverage:

- A. Volunteers covered for Workers' Compensation and General Liability by the organization who has volunteered their services will receive preference by the City when seeking volunteer assistance. (Ref. 1a)
 - B. Volunteers from private organizations for which the City has no responsibility, will provide Workers Compensation and General Liability coverage and additionally will name the City as an insured. (Ref. 1b)
 - C. Individuals as Volunteers recruited and approved by the City will be covered under the City's Workers Compensation and General Liability Insurance. (Ref. 1c)
4. Volunteers shall be accepted for work projects by City departments in the sequence listed above. Verification of Workers Compensation and General Liability coverage will be required from those volunteer organizations providing coverage before the volunteer/s may commence work.

Training and Orientation

Policy:

It is the policy of the City as a means to enhance organizational communication, efficiency and effectiveness, to conduct orientation and training programs when it is believed that such programs will help familiarize employees with the organization. Furthermore, training programs may be developed and implemented to enable employees to better serve the public through increased job knowledge, skills and ability.

Scope and Purpose:

An orientation program will be conducted for all newly hired employees. The primary purpose of the orientation program is to acquaint new employees with the following:

- A. City and Department Overview
- B. Review of Employee Handbook
- C. Employment Practices and Procedures
- D. Employee Benefits
- E. Attendance Policy
- F. Rules of Conduct
- G. Pay Plan
- H. Payroll Processes
- I. Workers' Compensation and Safety
- J. Role of Human Resources Department

Additional subjects to be covered, if any, and the scheduling of the programs will be determined by the Human Resources Director with approval by the City Manager.

1. Some employees may participate in continuing education and training programs when such instruction is considered necessary for satisfactory job performance. In some cases, employees may be required to enroll in and satisfactorily complete such programs.
2. Supervisors generally will be responsible for on-the-job training as may be necessary to teach knowledge of new methods, techniques, equipment and duties beyond what is normally expected of the employee.
3. However, non-supervisory employees may be assigned as on-the-job trainers, and such training will be conducted during normal working hours, whenever practical.
4. Employees will be trained on safety and health matters as required by Federal and State laws and City policies by the Human Resources Director and by their individual departments.
5. Special programs dealing with supervisory and management development, cost reduction, quality improvement, compliance with government regulations and so forth may be developed and conducted when deemed appropriate by the City.
6. When continuing education and in-service programs are required for licensing or re-

certification of licenses for groups of employees, the City may sponsor and conduct the programs. It will apply for approval by the licensing authority and will comply with all requirements established by such authority. However, it may, at its discretion, cancel the program or modify its direction to withdraw it from certification. (i.e., DOL Apprenticeship Programs)

7. Self-instructional programs and materials may be made available for employee use.
8. From time to time, City sponsored or conducted orientation and training programs, in-house or on-site, may be evaluated as to the quality of the instruction, the content and the results. In such cases:
 - A. Evaluation forms may be prepared and distributed by the Human Resources Department at the conclusion of each program
 - B. Supervisors of employees participating in City programs may be requested to evaluate the effectiveness of the programs in terms of operating results; and
 - C. Participants in City programs may be required to take tests to determine the extent to which they have learned the knowledge and skills being taught.
9. Certificates of completion may be awarded to employees who successfully complete any City sponsored or conducted program.
10. City Departments will maintain records of all training programs.
11. Benefits and programs offered by the City will be discussed with new employees. This will include, but is not limited to, payroll deduction programs, major medical and health programs and KPERS.
12. Newly hired employees will be issued an City Employee Handbook and will be required to agree to read the City Employee Handbook, standing operating procedures and current directives during their orientation. A certification statement must be signed by newly hired employees certifying that they agree to read the City Employee Handbook.

Medical / HIPAA Procedures

Policy:

It is the policy of the City that candidates may be required to complete a medical examination or complete a medical history questionnaire after a conditional offer of employment has been extended. Current employees may be required to provide a medical certification from a health care provider when the examination is job related and consistent with business necessity. In addition, certain departments are required, to have physical examinations periodically during their employment and to participate in wellness programs.

Scope and Purpose:

1. The Human Resources Director shall be responsible for developing and administering programs concerning employee health and safety.
2. After a conditional offer of employment has been extended, candidates for employment may be required to complete a medical examination, a medical history questionnaire and/or a psychological evaluation. These will determine the candidate's ability to perform the essential functions of the position.
3. Employees must report medication currently taken that will impair performance of job tasks and responsibilities to the Human Resources Department and/or Department Head. Information will be retained in the employee's medical file.
4. Medical examinations or evaluations required by the City will be completed at the City's expense. Medical examinations will be the employee's expense when not required by the City.
5. Information obtained regarding the medical condition or history will be collected and maintained in separate files and be treated as a confidential record.
6. It is the policy of the City and the Plan to comply fully with the requirements of the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), as set forth in the regulations issued by the Department of Health & Human Services ("HHS"). To that end, access to protected health information shall be strictly limited only to authorized employees.

Temporary Physical/Medical Duty Assignment

Policy:

It is the policy of the City to require current employees to obtain or submit to an examination by a physician when there is reason to confirm their ability to effectively perform their work activities safely and efficiently because of illness, injury or substance abuse.

Scope and Purpose:

1. If requested, employees shall be required to provide a physician's report certifying their ability to perform safely and satisfactorily their regular work activities without endangering themselves, other employees or individuals within the community.
2. In the event the physician's report stipulates any temporary restrictions concerning the employee's ability to perform regular work activities, the Department Head may, but is not required to, assign temporary special work activities.

Participation in Trade and Professional Associations

Policy:

It is the policy of the City to encourage employees to participate in trade and professional associations that are directly related to job responsibilities.

Scope and Purpose:

1. Employees are encouraged to participate in trade and professional associations that promote employee development and professional enhancement and that are endorsed by the City.
2. Employee participation in trade and professional association activities generally should be outside of working hours and, therefore, normally will not be considered as hours worked for pay purposes. However, such participation shall be considered hours worked for pay purposes if it is at the City's request or under its direction and control.
3. The City will pay for or reimburse a limited number of memberships in designated trade and professional association meetings, seminars and conventions. The City will pay and/or reimburse employees for registration fees and allowable expenses to attend such functions when approved by the Department Head.
4. Employees must have their Department Head's advance approval before seeking or accepting any official position in a trade or professional association. If approval is granted, the Department Head should also determine whether the employee is eligible for compensation for working time and reimbursement for expenses incurred in performing official duties.
5. Employees are encouraged to contribute articles, present papers and give talks to trade and professional associations and their publications. However, employees must obtain the prior approval of the City Manager and/or Senior Staff member for any communication that might be considered as representation of City policy.

Uniforms

City employees who are required to wear a uniform in the performance of their duties shall be provided with such uniform at the expense of the City. Replacement shall be at such time and in such amounts as the City Manager and Department Head may designate.

City personnel who wear a uniform that is directly associated with the City are not allowed to patronize any establishment serving beer or any liquor while in that uniform, except, as conditions warrant, for police and/or fire officers in the official performance of their duties.

Uniform Allowance

Reimbursements for work clothes and uniform allowances are excluded from wages of an employee if the clothing or uniforms are specifically required as a condition of employment and not worn as ordinary clothing. Cleaning of uniforms is not taxable. Street clothing allowance for non-descriptive clothing is considered a taxable benefit and will be added to an employee's wages.

Identification Cards

Identification cards will be issued to all persons hired by the City at the time of hire. ID's will contain a picture of the employee, department, their position in the department and their name on the front and backside of the ID card. Information of physical characteristics will be provided to verify the employee's identification as a City employee.

ID's will be updated at prescribed times for accuracy and correct information. If an employee loses or has their card mutilated they will immediately report this loss to Human Resources, who will issue a new ID card. An employee leaving City employment shall turn in his/her ID card to the Human Resources Department.

Benefits

Policy:

It is the policy of the City to provide its employees with various employee benefits. Information and summary communications intended to explain these benefit plans are furnished to all plan participants and qualified beneficiaries on a timely and continuing basis.

Benefits are defined as any program and/or policy fully or partially paid or coordinated by the City as a benefit to the employees. Current benefits offered by the City are:

- Major/Medical, Dental and Prescription Insurance
- KPERS and KP&F
- Life and Accidental Death Insurance
- 457 Deferred Compensation Plans
- Section 125/Flexible Spending Account
- Tuition Reimbursement
- Sick/Vacation Leave and Holiday/Personal Days
- Bereavement Leave
- Wellness Program
- Payroll Deduction Policy
- Employee Assistance Program
- Employee Recognition Plan
- Continuing Education Policy
- Leave and Attendance Policy
- Professional Trade Association Policy

Scope and Purpose:

1. All benefits provided by this policy are described in official documents which are kept on file with the Human Resources Director and are available for examination by any plan participant or beneficiary. These documents are the only official documents concerning the City's employee benefits. All summaries and communications, both written and verbal, must refer to them for clarification in cases of questions. The City reserves the right to modify, amend or terminate its employee benefits.
2. The Human Resources Director serves as Administrator of the City's employee benefit plans. The Administrator is responsible for all communications and disclosures concerning City benefits and for compliance with all applicable laws and regulations. In addition, the Administrator, Office Manager and/or Administrative Assistant are available to answer employee questions concerning benefits and the counsel new employees, employees as they achieve eligibility, retiring employees and non-employee beneficiaries as to specific benefit coverage and required forms and designations to the extent required by law. The Administrator is specifically authorized to use outside professional assistance as needed based on approval by the City Manager.

3. Under the City's insurance and retirement plan, each employee may designate a beneficiary. Such designation must be made in writing and on appropriate forms as prescribed by the Kansas Public Employee Retirement System (KPERs) and Advance Insurance Company of Kansas. Employees may elect to change a beneficiary designation by giving the Administrator appropriate written notice. It is the employee's responsibility to maintain the proper beneficiary designations.
4. The Administrator is to furnish the following information to each participant in employee benefit plans and to each beneficiary receiving benefits under a benefit plan:
 - A. A summary plan description of the plan within thirty (30) days after the individual becomes a participant or first receives benefits;
 - B. An updated summary plan description of the plan at such times as may be needed; and
 - C. A summary plan description of any material modification is adopted.
5. Plan participants or beneficiaries may obtain the following information concerning the City's benefit plans by submitting a written request the administrator:

Complete copies of the latest updated summary plan description; the latest annual report; any terminal report; and any contract or other instrument under which the plan is established or operated.
6. If a pension plan recipient is eligible for tax rollover treatment of a distribution, the Administrator will notify the recipient of options available to them under current law.
7. Any participant or beneficiary whose claim for benefits under an employee benefit plan has been wholly or partially denied will be furnished written notice containing the reason for the denial, specific reference to plan provisions on which the denial is based and appropriate information as to the steps to be taken if the participant or beneficiary wishes to submit the claim for review. If a review of the denial is requested, the Administrator is to review the denial of the claim and promptly furnish the decision to the claimant.
8. Employees, spouses and dependents covered by the City's health benefits plan are to be notified, when appropriate, that they have the opportunity to acquire continuing health protection in certain specified situations including reduction in workforce, termination or reduction in hours of employment and separation or divorce as required by Federal or State law.

Retirement

It is mandatory that all public employees participate in either KPERS or KP&F. The following provisions govern enrollment.

1. Non-public safety employees will be enrolled in KPERS upon their first day of employment. Both the City and the employee are required to make contributions to the KPERS Fund as established by State Law.
2. All certified Police and Fire employees will be enrolled in KP&F on the first day of service to the City. Both the City and employee are required to make contributions to the KP&F Fund as established by State Law.
3. If a new employee hired is already enrolled in KPERS or KP&F the City will complete the required processes for contributory compliance.
4. Part time employees will be enrolled in KPERS upon their first day of employment unless the Department Head notifies the Human Resources Department that the employee will not exceed 1,000 hours worked on an annual basis.

Health Insurance Plans

The City participates in a group health, prescription and dental insurance plans for employees and their families. Employees are eligible for this benefit on the first day of the month following sixty (60) days of employment. Membership in the plan is voluntary and is not compensable if not taken.

To qualify for this benefit, as well as other City employee benefits, and be classified as a full-time regular employee, an employee must occupy and actually work in a position that requires a minimum work week of 36 hours for 52 weeks a year. However, even though a 36 hour work week qualifies an employee for City employee benefits, a specific position may require a 40 hour work week.

Exceptions to the number of hours required to be worked to qualify an employee for employee benefits, may be granted by the City Manager, on a case by case basis, dependent upon the particular circumstances of an employee and the position.

Any changes to your healthcare coverage, whether adding or removing a dependent from your plan, should be made as soon as possible by notifying the Human Resources Department and completing the appropriate paperwork. However, the employee is allowed 63 days from the date of the qualifying event to complete this paperwork.

Continuation of benefits under COBRA is eligible to those covered employees who lose their single or family health coverage benefits due to voluntary termination, strike, layoff, discharge or reduction in work hours. These employees will have the opportunity to continue their single or family health coverage under the City Health Plan for up to eighteen (18) months. A qualified beneficiary, who is determined to have been disabled at the time of a qualifying event or within the first 60 days of COBRA continuation coverage for all qualified beneficiaries, may be eligible to continue coverage for a total of 29 months. Surviving spouse of covered employees divorced or legally separated spouse of covered employees and covered dependent children who become ineligible under the City's Group Health Plan due to age or marriage may continue on the City's health Plan for up to thirty-six (36) months.

An individual/family who elects COBRA coverage under the City's Health Plan will be responsible for paying the monthly premiums to the City Health, Dental and Prescription Insurer.

Retiree Health Insurance Program

An employee retiring at age sixty-five (65) with ten (10) years of service who has a spouse under the age of sixty-five (65) may provide coverage for the spouse under the City Health Insurance Plan until the spouse reaches sixty-five (65) years of age.

An employee who retires before reaching sixty-five (65) years of age and has ten (10) years or more of City service and who has a spouse will be eligible for coverage under the City's Health Plan until they individually reach age sixty-five (65).

Retirees will pay their monthly premiums to the City's Payroll and Accounts Payable Coordinator.

Workers' Compensation

All City employees are insured against accidents on the job through Workers' Compensation insurance. Should employees be injured on the job, contract an occupational illness or die while employed with the City, they will receive benefits, the amount depending on the seriousness of the injury or illness.

Injury or illness from on the job activity will entitle the employee to benefits of Workers' Compensation and sick leave pay in accordance with the Workers' Compensation Act (K.S.A. 44-505) and the sick leave policy of the City.

If an employee is injured on the job, they should report the injury or illness immediately to their supervisor. Your claim may be denied if you fail to tell your supervisor within 20 calendar days from the date of accident or the date of injury by repetitive trauma; (B) if the employee is working for the employer against whom benefits are being sought and such employee seeks medical treatment for any injury by accident or repetitive trauma, 20 calendar days from the date such medical treatment is sought; or (C) if the employee no longer works for the employer against whom benefits are being sought, 10 calendar days after the employee's last day of actual work for the employer. Completed accident reports should be submitted to the Human Resources Department.

The Human Resources Department will coordinate the medical treatment with the designated treating physician. If an employee seeks treatment from a doctor not authorized by the employer, the City is only liable up to \$500.00.

The City will pay an employee Injury Leave (not sick leave) for the first seven days of absence due to illness or injury. If employee is later reimbursed by Workers' Compensation the employee is to endorse check for the first week and submit to the City for the injury leave paid.

Injured employees are not entitled to compensation for the first week they are off work unless they lose three consecutive weeks. The first payment is normally due at the end of the 14th day of lost time. An injured employee is entitled to a weekly amount of 66 2/3% of his average weekly wage. If the injury results in a permanent disability, the Kansas Workers' Compensation statutes provide for additional benefits.

Options:

1. Employees can use sick leave entirely and sign over Workers' Compensation check to the City, or;
2. Employee can elect to be paid at rate of one-third (1/3) sick leave and keep Workers' Compensation check paid at two-thirds (2/3) of employee's salary.
3. When employee depletes sick leave accumulation, no further compensation is paid by the City. Compensation received will be temporary total disability until date of medical release to return to work.

Return to Work

Workers' compensation claims costs continue to rise and are a major expense to the City of Garden City, Kansas (City). There are several methods of controlling claims costs, but one of the most effective methods is returning employees to work as soon as possible.

The responsibility of the physician is to determine what, if any, restrictions apply to employees who are injured. It is NOT the physician's responsibility to determine whether or not an injured employee is able to work.

It is the policy of the City to aggressively return employees to work, within the restrictions provided by the physician or nurse practitioner. Department heads, managers, and/or supervisors will be responsible for finding productive work for each injured employee. Assistance for this effort is available through our workers' compensation carrier, KMIT, and its contracted representatives, Insurance Management Associates (IMA).

Temporary restricted duty work reassignment need not be confined to the current department in which an employee is ordinarily employed. Employees will receive the same rate of pay when they perform a temporary work assignment

Returning injured employees to work as soon as possible benefits both the employee and the City.

Tuition Assistance

Purpose:

The continuing education program is an employee assistance program which encourages City employees to continue formal education towards a degree or course(s) of training which related to their career field. The interest of such a program is three-fold:

1. To increase an individual's skills and knowledge in order to enhance productivity and proficiency on the job.
2. To encourage self-enrichment and esteem by meeting educational goals.
3. As a means to promote organizational goals.

Under the program, qualified employees may be eligible for one hundred percent (100%) tuition assistance.

General:

1. Criteria

Full-time employees having an interest in continuing formal education by pursuing a degree, and/or participating and successfully completing a curriculum (curriculum defined as courses, lectures and/or seminars) which related to and enhances ability and knowledge within their respective career field, may apply for tuition assistance.

Full-time employees may qualify for tuition assistance based on their ability to meet the following criteria:

- A. Must be employed with the City for at least one (1) year continuous service;

Cannot be in a status of probation, suspension and/or appealing a charge(s) that may result in disciplinary action and/or termination. (If and individual's curriculum has been approved and that individual is participating in the program when action(s) occur that may result in disciplinary action or termination, the City reserves the right to deny reimbursement to the individual);
- B. The employee must have an average or above performance evaluation rating;
- C. The curriculum must have initial approval from the Department Head. The basis for approval is:
- D. a. The time frame the curriculum is offered to ensure there is not a conflict with work schedule, by the relationship of the curriculum to

the career field of the individual; or If the curriculum is an area of study or training, although unrelated to an individual's career field, which can be demonstrated as beneficial to the City.

- E. Review and recommendation of a curriculum will be completed by the Human Resources Department with the City Manager giving final approval;
- F. An individual must successfully complete a curriculum and attain a grade 2.00 on a 4.00 point scale or the equivalent of a "C" regardless of the grading system to be eligible for tuition assistance reimbursement. For approved program(s) that do not have a grade scale, a certificate of completion or a letter from the instructor or program director stating the individual has successfully completed or passed the course(s) must be submitted before reimbursement;
- G. A copy of the certificate, letter and/or grade card for a completed curriculum must be provided to the Human Resources Director before reimbursement. This copy will be placed in the individual's personnel file as part of the permanent record;
- H. Must be employed with the City at the time of curriculum completion;
- I. The City will only pay for programs that are accredited; and
- J. Employees eligible for other means of financial assistance may be denied full or partial financial assistance.

**Note: Participation will be reviewed on a case by case basis. Senior Staff members have the latitude to request exception to policy if the course(s) are applicable to an individual's career field.*

2. Limitations

This program is available only after other available assistance is exhausted (scholarships, etc.) Also, this program may be limited by budgetary constraints. Therefore, requests may be denied or participation limitations established by the City. If budgetary constraints result in a limited system being established, the criteria by which an individual is granted tuition assistance will be based on an evaluation by the Department Head that considers the benefit to the department, City and individual.

- 3. If the employee elects to terminate employment with the City within two years following completion of the training; they must reimburse the City pursuant to the Tuition Reimbursement Agreement.

Employee Assistance Program

Policy:

It is the policy of the City to provide services through an employee assistance program (EAP) that will assist employees and their eligible dependents to resolve problems that may adversely affect their personal health, family, and job performance.

Scope and Purpose:

1. The City has contracted with the Compass Behavioral Health to assess and assist any City employee with his/her problems and to refer them to professional people qualified to provide assistance to the employee.
2. City employees can approach the clinic on a self-referral or supervisory referral. In self-referral the employee contacts the center on their own without notice to their employer. In supervisory referral, the supervisor suggest to an employee, whose job performance has declined to use the EAP. Failure by the employee to follow up will be subject to a disciplinary action. Participation in the EAP program will not influence any disciplinary action that may occur as a result of employee performance on duty.
3. All City employees and their dependents will receive assistance, once determined, for emotional problems such as alcohol and drug abuse, critical incident stress debriefing, stress, marriage & divorce, family, financial and any other psychological issues. Compass Behavioral Health will provide 24-hour a day; 7 days a week telephone answering services in emergency situations. Their contact numbers are 620-276-7689 or 800-259-9576. In addition, they will provide short term counseling sessions to any employee or dependent in need thereof. Confidentiality will be maintained at all times. Individuals who choose to have their doctor inform their supervisor and/or Human Resources Director, will need to sign a consent form.

Service Awards

Policy:

It is the policy of the City to recognize extended service to the organization by presenting service awards to eligible employees in accordance with the guidelines set forth below.

Scope and Purpose:

1. All full-time employees are eligible to be recognized with a service award upon completion of ten (10), twenty (20), thirty (30), and (40) years of continuous service.
2. Employees will be recognized in front of the Commission with a commemorative plaque and personal letters of appreciation from the city manager and the employee's direct supervisor(s).
3. Employees celebrating 10-year milestones will be granted one extra personal day during the calendar year in which the anniversary falls. Employees celebrating 20-year milestones will be granted two extra personal days during the calendar year in which the anniversary falls. Employees celebrating 30-year milestones will be granted three extra personal days during the calendar year in which the anniversary falls. Employees celebrating 40-year milestones will be granted four extra personal days during the calendar year in which the anniversary falls.
 - A. All personal days granted for longevity milestones are *only* valid for the *calendar year in which the anniversary falls*.
4. Employee anniversaries will continue to be recognized annually during the month of December.

The City Clerk is responsible for identifying those employees to be honored for extended service, notifying the presenter and ordering the awards.

Employee Recognition

Policy:

In recognition of employees for their dedication and continued service to the residents of Garden City, the City will pay the following:

26+ Years	\$1,500
21-25 Years	\$1,000
16-20 Years	\$600
11-15 Years	\$300
6-10 Years	\$200
5 Years	\$150
4 Years	\$100
3 Years	\$75
2 Years	\$50
1 Year	\$25

Recognition of employees will be payable in December of each year to the employee by separate check or gift certificate. Calculation for eligibility will require an employee to complete the anniversary of actual number of service years outlined above. For example, an employee must have worked for the City for 6 continuous years in order to be eligible for the \$200 recognition.

Distinguished Service Award

Policy:

It is the policy of the City to recognize meritorious service to the organization by presenting service awards to eligible employees in accordance with the guidelines set forth below.

Scope and Purpose:

Distinguished Service awards must meet the following criteria:

1. The employee must have acted in distinguished service to the Garden City community or the greater community of Finney County.
2. The employee must have performed above and beyond the requirements and expectations of his or her job and related responsibilities.
3. The employee must have exemplified organizational values through the act of distinguished service.
4. The employee must have exemplified the ethic of a public servant through the act of distinguished service.

Description of Awards:

1. All employees are eligible to be nominated for a Distinguished Service Award.
2. Distinguished Service award recipients will be recognized in front of the City Commission with a commemorative plaque and a \$100.00 gift check.
3. Acts recognized with Distinguished Service awards will be honored as such in the GCALL Newsletter, on commissioners' brag sheets, and on the City website.
4. All nominations for Distinguished Service will be recognized with a personal letter of recognition from the City Manager.
5. Under the preceding guidelines only those nominations compelling enough to rise to the level of Distinguished Service would be officially awarded.

Nominations:

1. Supervisors may nominate their employee(s) for recognition based on acts of service above and beyond normal job duties and/or distinguished service to the community. This follows the organizational hierarchy: Department Heads may nominate front line employees; Senior Staff members may nominate Department Heads; the city manager may nominate Senior Staff members.
 - A. Nominations shall be submitted to the Human Resources Director (or the Director's designee) to be evaluated for recognition and must include:
 - a. Employee's name, department, and title/position
 - b. Nominator's name, department, and title/position

- c. A detailed narrative account of the act(s) of distinguished service
 - d. A narrative summary demonstrating that the nominated act merits recognition for a Distinguished Service award as described above.
2. Eligible nominations for acts of distinguished service can address either a specific, isolated event or an ongoing commitment or activity. Specific, isolated events that have taken place prior to the adoption of the Distinguished Service program will not be eligible for recognition. Ongoing commitments or activities that have begun prior to the adoption of the Distinguished Service program but are still ongoing at the time of the program's adoption are eligible for recognition.
 3. In the spirit of this merit award, no limitations would be placed on the number of times an individual can be nominated or recognized in any given calendar year.
 4. To remain timely, if the nomination regards a specific act of service, the nomination must be received by the Human Resources Director (or the Director's designee) within 30 days of the act of service. Upon receipt, these nominations will be held until the annual blue-ribbon committee convenes. However, if the nomination regards an ongoing commitment, nominations will be accepted at any time up to ten (10) business days before the blue-ribbon committee convenes.

Administrative Duties:

1. The Human Resources Director (or the Director's designee) is charged with recruiting community members without conflicting ties to the City organization to serve on a three-person blue-ribbon committee that will review nominations for Distinguished Service awards.
2. The Human Resources Director (or the Director's designee) is responsible for convening the blue-ribbon committee either annually or as necessary and providing staff support to the committee.
3. The Human Resources Director (or the Director's designee) will black out identifying information on the nominations to further ensure objective decision-making for the blue-ribbon committee.
4. The blue-ribbon committee is charged with evaluating the nominations to determine whether any have risen to the level of Distinguished Service as described above. The Human Resources Director (or the Director's designee) will track the nominations from the time they are submitted to the committee's final decision. The blue-ribbon committee will inform the Human Resources Director (or the Director's designee) of its decision on each nomination. At that time, the Human Resources Director (or the Director's designee) will make preparations to either grant the award or acknowledge the nomination in the manner described above.
5. Following the decisions of the blue-ribbon committee, it is the responsibility of the Human Resources Director (or the Director's designee) to produce the letter(s) of recognition, have them signed by the City Manager.

Payroll Deductions

Policy:

It is the policy of the City that employees may have deduction(s) from their regular paycheck for the purpose of paying approved vendors for products or services.

Scope and Purpose:

1. The City Manager designates and approves all vendors participating in the payroll deduction program. A list of approved vendors is kept by the Payroll and Accounts Payable Coordinator.
2. For a vendor to be considered as a participant in the payroll deduction program, at least five (5) employees must have purchased a product or service from the vendor and request the City Manager's approval of the vendor. The City Manager will make a decision based on the needs and benefits to the City.
3. Employees desiring to participate in the payroll deduction program must have the vendor approval and must complete and sign a payroll deduction form.
4. Payroll will be deducted by the Payroll Department based on the amount stated on the payroll deduction form, beginning with the next reasonable pay period, but not to exceed one (1) month from the date the deduction was requested.
5. To stop a payroll deduction, the employee must complete and sign a "DISCONTINUE" payroll deduction form. Payment will stop on the date requested or the next pay period.
6. The payroll deduction program is a benefit offered to the employee by the City. The employee is the only one authorized to initiate and/or stop payment through payroll deduction to an approved vendor. If the employee has a problem with the product or service provided by the vendor, the City will not become involved in the dispute other than to stay or stop payment based solely on the employee's written request per this policy.
7. Payroll deduction forms may be obtained from Payroll or Human Resources. Requests to approve vendors will be initiated by contacting the Human Resources Director.

Section 125 Plan – Flexible Spending

The City provides a two flexible spending plans that any employee may voluntarily join. Any or all three coverage's may be chosen:

1. Medical Insurance premium deduction
2. Unreimbursed Medical expenses, and;
3. Dependent Day Care coverage

All coverage's are deducted pre-tax. Flexible spending is deducted up to a fixed limit an amount they determine they will use during the year to pay for services. Any unused money in the employee's account at the end of the year reverts to the employer under the IRS code. It is important for employees to conservatively estimate their Unreimbursed Medical and Dependent Day Care needs and deduct from their paycheck accordingly.

For medical reimbursement and/or dependent care, an employee may elect to have a set amount per pay period deducted from their salary not to exceed maximum thresholds set by the IRS each plan year. Flexible spending accounts can only be used for expenses incurred during the plan Year.

Safety

Policy:

It is the policy of the City to provide a safe and healthy work environment. Employees are expected to comply with all safety and health requirements whether established by management or by Federal, State or local law.

Scope and Purpose:

1. The City Manager has appointed a Safety Officer (Human Resources Director) whose responsibilities include:
 - A. Monitoring compliance with City safety rules and regulations and the applicable safety and health standards established as a result of the DOT, OSHA, FAA and any other applicable federal, state or local safety laws or regulations;
 - B. Investigating, correcting and eliminating recognized unsafe working conditions or potential hazards;
 - C. Conducting periodic informal safety inspections of all work areas, machinery, equipment, elevators, lift trucks, warehouses, grounds and any other recognized potentially hazardous City facilities;
 - D. Representing the City during investigations conducted by the Kansas Department of Labor, DOT (drug/alcohol testing), and FAA;
 - E. Organizing the training and retraining of employees in areas of safety and safety management to include substance/alcohol abuse;
 - F. Monitoring compliance with the various requirements established by the state and the insurance carrier relating to record keeping and the retention of records;
 - G. Posting notices and keeping records as may be required by the state, OSHA, DOT and the insurance carrier;
 - H. Establishing fire prevention and firefighting programs and conducting fire drills;
 - I. Developing contingency disaster preparedness plans;
 - J. Reviewing all accidents and fires involving City employees or which occur on City premises and preparing any required reports; and
 - K. Organizing a safety committee to assist in policy and implementing the safety programs.

2. All supervisors are to:
 - A. Inspect their work areas monthly;
 - B. Familiarize themselves with all safety, health, drug and alcohol procedures relevant to their work;
 - C. Train their employees in safety matters or arrange for such training where appropriate;
 - D. Identify conditions that are recognized in the City's industry as being unsafe.
 - E. Identify physical & mental symptoms of drug/alcohol; and
 - F. Report accidents as required by law.
 - G. Conduct department safety meetings on a reoccurring schedule
3. Employees should report all observed safety and health violations and any accidents resulting in injuries to employees or customers.
4. All employees are encouraged to submit suggestions to the Safety Officer concerning safety and health matters for their department and all City operation.
5. If safety clothing or equipment is required by State regulations or City policy, the City will provide the clothing and equipment. The City will replace damaged or broken safety clothing and equipment, provided the damage is not caused by the negligence of the employee.
6. No employee should be discharged or discriminated against in any manner because the employee has instituted a proceeding or filed a claim with the state or federal agency, has testified in such a proceeding or has otherwise exercised any right afforded by state law. However, time spent by employees in accompanying safety compliance officers during inspections will be considered hours worked for pay purposes.
7. Employees who are exposed to known toxic substances and recognized harmful physical agents should be given the following information at the time they are first hired and at least annually after that:
 - A. The existence, location and availability of any employee exposure or medical records pertaining to employees exposed to toxic substances or harmful physical agents which are maintained or caused to be maintained by the City;
 - B. The identity of the person responsible for maintaining and providing access to such records; and
 - C. The right of each employee or the employee's designated representative to examine and copy such records.

8. City employees may be required to submit to medical examinations and tests at intervals determined by their time on the job and whenever there is reason to believe that they were unduly exposed to toxic substances or harmful physical agents.
9. City employees may be required to submit for drug/alcohol testing when two (2) trained supervisors determine the employee to be exhibiting the known actions of a person under the influence.
10. City employees who are required to have a commercial driver's license (CDL) or are employed in safety sensitive positions as defined by Federal, State and/or local law will be required to submit to random testing for drug/alcohol abuse. Testing will be administered within the policy set forth in this handbook, which complies with guidelines established by federal, state or local law.

Personnel Records

Policy:

It is the policy of the City to maintain certain records on each employee which are directly related to the employee's job with the City. At all times the City will do its best to balance the employee's right to privacy with the City's need to collect and use information.

Scope and Purpose:

1. Each employee's personnel file will contain only such information as is needed by the City in conducting its business or is required by Federal, State, or local law. This information normally will include:
 - A. Application forms;
 - B. Payroll information;
 - C. Performance evaluation;
 - D. Disciplinary records.
2. Various federal, state, and local laws require that certain records for a specific length of time. In general, the Fair Labor Standards Act requires that payroll records be retained for three (3) years from the last date of entry. The Federal Equal Employment Opportunity laws require that records dealing with hiring, promotion, termination and similar personnel decisions be retained for at least one (1) year from the date of the personnel action. However, the records will be retained for up to three (3) years from the date of personnel action.
3. Employees are allowed to inspect and make copies of their personnel records. A written request to do so should be directed to the Human Resources Director, who will schedule a time for inspection that is convenient for both the employee and the Human Resources Director. A reasonable charge will be made for any copies of records made by the employee, not to exceed the actual cost to the City.
4. If after inspecting their personnel records, employees believe that certain material is irrelevant, inaccurate, or obsolete; they may submit a written request to the Human Resources Director to remove the material from the file. The Human Resources Director will either remove the material or inform the employee why the material should remain in the file. If employees are not satisfied with the Human Resource Director's decision, employees shall be permitted to place a written statement of disagreement in the file and they may pursue the matter further using the regular grievance procedure
5. All requests from sources outside the City for personnel information concerning applicants for employment, current employees, and former employees shall be directed to the Human Resources Department. The Human Resources Department will release information to outsiders in response to written requests only, and only after obtaining the written consent of the individual who is the subject of the inquiry.

However, the Human Resources Department may release the following information without first obtaining the consent of the individual involved:

- A. Employment dates;
 - B. Position held;
 - C. Wage and salary information; and
 - D. Location of job site.
6. In order to guarantee the security of the City's personnel records, all files are kept in a locked area of the City Manager's office. Those that have a legitimate need to inspect personnel records include the City Manager, Asst. City Manager, Payroll, Human Resources, Human Resources Director, Senior Staff members, and Department Heads (but is limited to those employees in that particular department). All others who desire access to records must have approval from the Human Resources Director.
7. In order to keep personnel records up to date, employees are urged to notify the Human Resources Director in writing of any changes using City approved forms in:
- A. Name;
 - B. Address;
 - C. Telephone number;
 - D. Marital status;
 - E. Number of dependents;
 - F. Beneficiary designations for any of the City's insurance, disability, pension, and profit sharing plans; and
 - G. Persons to be notified in case of emergency.
8. When a change in number of dependents or marital status occurs, the employee should report to the Human Resources or Payroll to complete a new W-4 and K-4 for income tax withholding purposes.
9. All personnel records of employees covered under these policies and all other records and materials relating to the administration of these personnel policies shall be considered confidential and the property of the City of Garden City. Information which is obtained in the course of official duties shall not be released by anyone except the Human Resources Director or City Manager.
10. Medical records – Any documents related to employee's protected health information will be retained in a separate file and file cabinet as per HIPAA regulations. Genetic information will be kept in the same file as per GINA.

11. Workers' Compensation records for employees are retained in a separate file and file cabinet as well. Employees and/or their designated representative have the right of access, as defined in 29 CFR 1910.20 of OSHA (Occupational Safety & Health Administration) Code, to all job-related medical, or exposure records. The designated representative responsible for maintaining and providing access is the company's Human Resources Director.
12. All documents including and related to form I-9 will be maintained confidentially and organized.

Hours of Work

An employee's work schedule shall be determined by the Department Head as approved by the City Manager. Employees normally work eight (8) hours a day, Monday through Friday. The normal work shift is 8:00 A.M. to 5:00 P.M. with one unpaid period for lunch during the day. Additional circumstances may require a change in the normal work week or the requirements if the various City departments may require a different schedule i.e., employees engaged in fire protection (24-hour shifts) or law enforcement (10 or 12 hour shifts) activities.

Work schedules for each position are determined by the respective Department Heads and must be approved by the City Manager.

Calculation of Hours for Pay

Notwithstanding that a 36 hour work week qualifies an employee for City employee benefits, the standard work week for the City is 40 hours during which the employee will perform actual work for the employer. The standard work week of 40 hours may be reduced, due to the requirements of a specific position, if approved by the City Manager. Computation of pay will originally be based upon the hours of actual work performed by the employee. After this computation, an accrued benefit, such as vacation, sick leave, personal leave holiday pay, or other approved leave, is approved by the Department Head or City Manager, will be added to provide normal (40 hours) work week pay.

Attendance

All employees should be at their work in accordance with the general regulations and department regulations. Prompt appearance for work at the specified time is required of all employees. In the event an employee will be late for work, it is the responsibility of the employee to notify their supervisor personally as soon as possible. Excessive tardiness by employees may warrant further disciplinary action up to and including termination. Any time allocated during the day for work breaks cannot be accumulated and used for time off or for any absences from hours of employment.

On Call Policy

Policy:

When a non-exempt employee is scheduled on call after the regularly scheduled workday, a stipend will be provided to the employee. Employees while on call status will be accessible and have the ability to respond to calls. Employees while on call status must respond within a reasonable amount of time and will refrain from consuming alcohol.

Definitions:

1. "Scheduled On Call" – Employees who are scheduled to respond to calls for service after the scheduled workday. In order to be considered scheduled the following must be met:
 - The Department must have a schedule of employees that are "Scheduled On Call" that is provided to all employees in the Department via bulletin boards, emails, etc.

- All schedules must be for a minimum of a 24 hour period.
2. "Call Back" – Employees who are contacted after the scheduled workday to respond to calls for service, but are not on the Department schedule.

Guidelines:

1. "Scheduled On Call"
 - A. Employees must have the ability to respond within a reasonable amount of time.
 - B. Employees must refrain from consuming alcohol during the scheduled time.
 - C. Employees will be compensated a stipend for every 24 hour period that they are scheduled on call.
 - D. If employees are called out to the worksite the employees will be compensated for time worked.
 - E. Failure to respond to the call out will result in disciplinary action.
2. "Call Back"
 - A. Employee must not be under the influence of alcohol in order to respond to the call back.
 - B. Employees will be compensated for all time worked when responding to the call back.
 - C. Responding employees will be eligible to work two (2) hours of approved time when responding to a call back, regardless of the length of the call back. Approved work can be completed at the worksite or the worksite of the call back.
 - D. Clock in time of the call back will be the time that the employee received the request for call back.

Vacation

- 1 Eligibility - All probationary and full-time employees (FTE) in service shall be entitled to earn and accrue annual (vacation) leave. All FTE may begin taking accrued leave after six (6) months based on the Department Head's approval. Any vacation leave time taken prior to six (6) months of employment will be considered unpaid leave and must be approved by the Department Head. Employees under temporary or provisional appointments and employees not deemed to be in service will not be granted annual leave under these policies.
2. Leave Accrual – Employees within the training period, full-time and part-time employees begin to accrue annual leave immediately upon employment.
3. Rate of Leave Accrual and Usage - Annual leave is accrued according to years of service with the City, accumulated by the month. Accrual and usage rates are as follows:

Vacation Accrual		Fire
1 - 5 Years	12 Days	6 Days
6 – 10 Years	16 Days	8 Days
11 – 15 Years	18 Days	9 Days
16 + Years	22 Days	11 Days

Vacation Usage		Fire
1 – 5 Years	15 Days	7.5 Days
6 – 10 Years	18 Days	9 Days
11 – 15 Years	20 Days	10 Days
16 + Years	25 Days	12.5 Days

Part-time employees will accrue vacation time at half the time of the full time rate. Seasonal and temporary employees are not eligible to accrue vacation time leave.

4. Requests for Leave - A request for vacation leave shall be submitted to the employee's immediate supervisor. Leave may be taken only after approval by the appropriate Department Head, so that insofar as practicable, the City can function without the hiring of additional temporary help or payment of overtime to existing employees. Any conflicts in requested dates may be resolved by criteria based on department needs. Holidays falling within an employee's scheduled vacation will not be charged as part of the employee's vacation time.
5. When City work requirements prevent an employee from taking normal vacation time, any time denied because of work will, with the approval of the Department Head and City Manager, be extended into the current year. Annual vacation leave time will be recorded by the City as earned by the employee. There is no limit on the amount of vacation time an employee may accumulate.
6. Payment for Accrued Vacation Benefit - Vacation leave is a benefit, not an earned wage. Accrued vacation is only considered an earned benefit, and payable to employees who resign, leave employment by reason of death, or voluntarily terminate their employment

and are in good standing by giving not less than two weeks' notice of termination. To be eligible for this benefit employee must be employed with the City for a minimum of one year. Employee's voluntarily terminating employment, and who give the required notice, will be paid for accrued vacation benefit up to a maximum of forty (40) work days, with the exception that the fire personnel will be paid for accrued vacation benefit up to a maximum of 20 work days for fire personnel. Employees retiring will be paid for accrued vacation benefit up to a maximum of fifty (50) workdays, with the exception that fire personnel will be paid for accrued vacation benefit up to a maximum of 25 work days. To be eligible for this retirement benefit you must have at least 10 years of service with the City of Garden City. This will be evaluated on an annual basis. Any accrued vacation time in excess of the limits set forth in this paragraph will not be paid by the City.

7. Employees involuntarily terminated by the City, for any reason, with or without cause, and employees resigning or voluntarily terminating employment and not in good standing, will not be paid any accrued vacation benefit. Employees terminating employment during a training or probationary period, for any reason, will not be paid any accrued vacation benefit.

Personal Days

Each full-time employee will be allowed two (2) personal leave days per year. Employees will receive an additional personal day per year if have completed five years of service by the beginning of the calendar year. A part-time employee will receive one-half (1/2) personal leave day per year. This day will be coordinated with the supervisor and will be granted based on needs of the department. The employee will be required to take the complete time. To be eligible, an employee must work three (3) months in his/her position. The personal leave day will not be accrued and is not reimbursable when an employee leaves the service of the City.

Holidays

Should a recognized holiday fall on a Saturday, the preceding Friday shall be designated as the official holiday, and should a recognized holiday fall on a Sunday, the following Monday shall be designated as the official holiday for that year. Exceptions to this rule should rarely be necessary. However, in unusual circumstances, exceptions may be granted by the city Commission insofar as the rule is uniformly applied. Additional paid holidays must be designated by the City Commission.

Full-time employees receive a full day's pay for holidays. Part-time employees who are scheduled to work three (3) months or longer will be eligible to receive one-half (1/2) day of holiday pay. Temporary or Seasonal employees who are scheduled to work three (3) months or longer will be eligible to receive one-half (1/2) day of holiday pay. To receive holiday pay, any employee must work their regularly scheduled shift immediately preceding the holiday and their first scheduled shift immediately following the holiday unless officially excused. When departments are required to maintain operations on holidays, Department Heads may schedule another day off, provided that proper notification is made to the Human Resources Director and the payroll office. Holidays which occur during vacation or sick leave shall not be charged against vacation or sick leave.

The following days are designated as official holidays for all full time employees in City service:

- New Year's Day
- Martin Luther King Day
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Day After Thanksgiving
- Christmas Eve Day
- Christmas Day

Sick Leave

1. General - Sick leave shall be allowed to an eligible employee for the following:
 - A. In the case of actual sickness or disability of the employee or for medical, dental, or eye examination or treatment for which arrangements cannot be made outside working hours, and
 - B. When the employee is required to care for a sick or injured spouse, child, or other persons who are identified as "immediate family." An employee shall report all instances of illness requiring absence from work, prior to his or her scheduled work time.
2. Eligibility - Employees shall be entitled to utilize sick leave following the successful completion of ninety (90) days from date of hire. Any sick time taken by an employee prior to the ninety (90) days will be considered unpaid leave time and must be approved by the Department Head.
3. Rate of Leave Accrual - A full-time City employee, except certified Fire personnel, accrues one (1) day sick leave for every month of continuous employment, but may not utilize sick leave until after the initial ninety (90) days of employment. Certified Fire personnel accrue one 24 hour day of sick leave after every two (2) months of service for a total of six (6) days during a calendar year. Part-time employees will accrue Sick Leave time at half the time of the full time rate. Seasonal and temporary employees are not eligible to accrue sick leave.
4. Certification by Physician - A medical certificate signed by a licensed physician may be required by the appropriate Department Head to substantiate a request for sick leave, or to justify any absence if such absence from duty recurs frequently or habitually.

The medical certificate signed by a licensed physician certifying that illness or disability prevented the employee from working must be presented to the employee's supervisor within twenty-four (24) hours after returning to work, if requested.
5. Maximum Allowable Accumulation - Sick leave may accumulate to a maximum of seventy-two (72) days for all employees, except Certified Fire personnel, who may accrue thirty-six (36) days of sick leave for usage.
6. When Earned Sick Leave is Exhausted - If any employee exhausts their sick leave, vacation time approved by the Department Head may be used.

Wellness Sick Leave

To promote wellness of the workforce, the City will provide up to, but not to exceed (2) two hours' time off for each of the following medical procedures without the requirement of sick leave utilization:

- A. Annual Physical Examination
- B. Annual Dental Examination
- C. Annual Eye Examination

To receive this benefit the employee must present a scheduled appointment card with date and time for one of the above listed service.

If a dependent requires assistance from their parent (city employee) approval will be granted upon receipt of the scheduled appointment card for one of the above listed services

Sick Leave Donation Program

This program allows employees to donate their sick leave to a bank for other employees to borrow from if they need more sick leave because of an extended illness. The donation requirements are as follows:

1. Employees are qualified when they have more than 240 hours of accumulated sick leave. The contribution should not reduce their sick leave balance below 200 hours.
2. Qualified employees may not contribute more than 40 hours of their sick leave to the program per year, and the minimum donation is 8 hours.
3. All other employees (non-qualified by virtue of them having less than 240 hours accumulated by November 1 of any year), may contribute at an annual donation enrollment period. Those non-qualified employees wishing to make a contribution are limited to not more than 8 hours donation.
4. Donations will be accepted at any time throughout the year by completing the donation form.
5. All donor employees should complete a payroll deduction form and return to the payroll department.
6. The maximum amount that employees can request from the sick leave donation program is six (6) weeks of leave time.

For additional information regarding the Sick Leave Donation form please contact the Human Resources Department to request the program benefit forms.

Employee Wellness Plan

For department administration and to ensure that all employees understand the perimeters of the wellness benefit, we have outlined the following guidelines:

1. Exercising on Duty

Employees can exercise while on duty for ninety minutes per week. The usage of this benefit must be approved by the supervisor in advance to allow for work scheduling. For purposes of this benefit, types of “exercise” are defined below and further as “physical exercise is the performance of some activity to develop or maintain physical fitness and overall health”. Authorized exercise can only be performed at the beginning/ending of an employee’s shift or in conjunction with their lunch period.

2. Exercise Examples:

- A. Home
- B. Health Club
- C. On the way to and from work
- D. City facility
- E. In close proximity to work location

3. Qualified Exercise – Aerobic/Anaerobic

City employees may perform any form of exercise that meets the following criteria:

Aerobic – refers to walking, cycling, running, swimming, inline skating, tennis, yoga, fitness class, elliptical/exercise equipment or any other example that meets the definition of aerobic.

Anaerobic – refers to strength and weight training

**A doctor should always be consulted before anyone begins a new exercise regimen.*

4. Accounting for Exercise; Payroll

All participating employees must track their exercise on a bi-weekly basis via the Employee Wellness Tracking Form, and return it to the department’s Administrative Secretary the Friday prior to payroll. Department Heads are not required to get signature authority from the City Manager’s office on these forms. The exercise time will be paid time and will not be added or calculated as overtime. All non-exempt employees must clock in/out when performing exercise activities. If an employee decides to exercise at the end of the day, they will not be required to return to work and clock out.

The Employee Wellness Tracking Forms will be maintained within the departments filing systems. Human Resources will periodically audit the Employee Wellness Tracking Forms.

** If an employee sustains an injury while performing exercise related to the Wellness Program, this will not be considered Workers’ Compensation.*

Military Service / Leave

An employee who is inducted into or enlists in, or is a member of the Armed Forces of the United States, or who performs active or inactive duty with the Armed Forces while a member of a Reserve component, will be granted a Military Leave of Absence. An employee whose period of active service exceeds two (2) weeks will not receive compensation during military leave. Employees who are granted a leave of absence not exceeding two (2) weeks to perform active duty for training may use accrued vacation leave, leave without pay or any combination of these leaves. However, vacation leave is still limited to the current annual accrual provided.

The City will comply with all the facets of the USERRA (Uniformed Services Employment and Reemployment Rights Act) regulations.

Family and Medical Leave Act (FMLA) & Military Family Leave Act (MFLA)

Basic Leave Entitlement

If you are eligible, you may, in accordance with the Family and Medical Leave Act of 1993 (amended October 28, 2009), request up to 12 weeks of unpaid, job protected leave within a leave year defined as a “rolling” 12 month period. Employees who have worked at the City for at least twelve (12) months and at least 1,250 hours during the prior twelve (12) months will be eligible for FMLA leave. The City will designate time off taken for the qualifying reasons as leave under this policy even in the absence of a request.

Leave is Unpaid

FMLA is unpaid, although you may be eligible paid time off under the City’s vacation leave, sick leave, and personal day and/or workers’ compensation benefits. If you request FMLA, any applicable paid time off benefit will first be substituted for any unpaid FMLA as allowed by law. The substitution of paid and unpaid leave time for the unpaid FMLA time does not extend the 12 week period.

Reasons for Family and Medical Leave or Military Caregiver Leave

You may request (or the city will designate) FMLA for the following reasons:

1. For incapacity due to pregnancy, prenatal medical care or childbirth;
2. To care for the employee’s child after birth, or placement for adoption or foster care;
3. To care for the employee’s spouse, child or parent who has a serious health condition; or
4. For a serious health condition that makes the employee unable to perform the employee’s job.
5. Because of any qualifying exigency arising out of the fact that the employee’s spouse, son, daughter, or parent is a covered military member on active duty (or has been notified of an impending call or order to active duty) in support of a contingency operation;
6. To care for a covered service member or veteran with a serious injury or illness if the employee is the spouse, son, daughter, parent or next of kin.

Birth or Adoption of a Child

Leave specifically dealing with the birth and/or placement of a child into an employee’s family may only be taken within the twelve (12) month period before or after the date of the birth or placement of the child. If both spouses are employed by the City, the combined leave shall not exceed twelve (12) weeks. If each spouse only took six (6) weeks to care for a newborn child, each could use an additional six (6) weeks due to his or her own serious health condition etc.

Military Family Leave Entitlements

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. The leave may be taken continuously, intermittently or on a reduced schedule. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.***The FMLA definitions of “serious injury or illness” for current servicemembers and veterans are distinct from the FMLA definition of “serious health condition”.**

Qualifying exigencies may include any one or more of the following non-medical, non-routine activities and no others:

A. Short-Notice Deployment Activities

To address any issue that arises from the fact that a covered military member is notified of an impending call or order to active duty in support of a contingency operation seven or less calendar days prior to the date of deployment. An employee may take FMLA leave for up to 7 calendar days beginning on the date they receive the call or order to active duty.

1. Military Events and Related Activities

- A. To attend any official ceremony, program or event sponsored by the military that is related to the active duty or call to active duty status of the military member;
- B. To attend family support or assistance programs and informational briefings sponsored by the military, military service organizations or American Red Cross that are related to the active duty or call to active duty status of a military member.

2. Childcare Activities

- A. To make alternative childcare arrangements of a military member’s child;
- B. To provide childcare of a military member’s child on an urgent, immediate need basis but not on a routine, regular or everyday basis;
- C. To enroll in or transfer a military member’s child in a new school or day care facility
- D. To attend meetings with staff at school or daycare facility.

3. Financial and Legal Arrangements

- A. To make or update financial or legal arrangements to address the military member's absence while on active duty or call to active duty status;
- B. To act as the military member's representative before a federal, state or local agency for purposes of obtaining, arranging, or appealing military service benefits while the military member is on active duty or call to active duty status.

4. Counseling Activities

The need for counseling arises from the military member's active duty or call to active duty. Such counseling is provided by someone other than a health care provider. The counseling is for the employee, the military member and/or the military member's child. If medical counseling is needed, the employee may be able to take regular FMLA leave due to the "serious health condition" of the employee or of a military member who is the employee's spouse, parent or child.

5. Rest and Recuperation Activities

If a military member is granted short-term, temporary, rest and recuperation leave during the period of deployment, an employee may take FMLA leave to spend time with the military member. Eligible employees may take up to five days of leave for each instance of rest and recuperation.

6. Post-Deployment Activities

- A. To attend arrival ceremonies, reintegration briefings and events and other official ceremony or program sponsored by the military for a period of 90 days following termination of the military member's active duty status;
- B. To address issues that arises from the death of a military member while on active duty status.

7. Additional Activities

An employee may take FMLA leave for other exigencies, provided, it arises out of the military member's active duty/call to duty to address other events provided that the employee and employer agree that such leave shall qualify as an exigency, and agree to both the timing and duration of the leave.

Military Caregiver Leave

To allow an employee who is the spouse, child, parent or next of kin of a service member in the Regular Armed Forces, National Guard or Reserves (who has incurred a serious injury or illness in the line of duty while on active duty or injuries or illness that existed prior to the servicemember') or certain veterans to provide military caregiver leave to care them.

Who is a covered servicemember?

A covered servicemember is a veteran discharged under conditions other than dishonorable within the five-year period before you first take military caregiver leave to care for that veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

For any veteran who was discharged prior to March 8, 2013, the period of time between October 28, 2009 and March 8, 2013 will not count as part of the five-year period. For example, if your family member became a veteran on October 28, 2009 then you may begin to use your military caregiver leave entitlement at any time up until March 8, 2018. As long as your military caregiver leave begins within five years of the veteran's discharge, the 12-month period may extend beyond the five-year period.

An eligible employee is entitled to a combined total of 26 workweeks of leave to care for a covered service member or certain veteran with a serious injury or illness during a "single 12-month period." The "single 12-month period" for leave to care for a covered service member or veteran with a serious injury or illness begins on the first day the employee takes leave for this reason and ends 12 months later, regardless of the 12 month period established by the City for other types of FMLA leave. During that single 12-month period caregiver leave is combined with regular FMLA leave and the total cannot exceed 26 weeks. (Only 12 of the 26 weeks total may be for a FMLA-qualifying reason other than to care for a covered service member or certain veteran).

Spouses employed by the City are limited to a combined total of 26 workweeks in a "single 12-month period" if the leave is to care for a covered servicemember or other veteran with a serious injury or illness.

What is a serious injury or illness of a veteran?

For a veteran, a serious injury or illness is one that was incurred by the veteran in the line of duty on active duty in the Armed Forces or that existed before the veteran's active duty and was aggravated by service in the line of duty on active duty, and that is either:

- a continuation of a serious injury or illness that was incurred or aggravated when the veteran was a member of the Armed Forces and rendered the servicemember unable to perform the duties of the servicemember's office, grade, rank, or rating; or
- a physical or mental condition for which the veteran has received a Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater. (The rating may be based on multiple conditions).
- a physical or mental condition that substantially impairs the veteran's ability to work because of a disability or disabilities related to military service, or would do so absent treatment; or an injury that is the basis for the veteran's enrollment in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

Any one of these definitions meets the FMLA's definition of a serious injury or illness for a veteran regardless of whether the injury or illness manifested before or after the individual became a veteran.

Definition of Serious Health Condition

For purposes of this policy, a serious health condition means an illness, injury, impairment or physical or mental condition that involves inpatient care or continuing treatment by a health care provider. Examples are as follows:

1. An overnight stay in a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care.
2. A serious health condition involving continuing treatment by a health care provider includes any one or more of the following:
 - A. A period of incapacity of more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition that also involves:
 - a. Treatment two or more times, within 30 days of the first day of incapacity, unless extenuating circumstances exist, by a health care provider (HCP), by a nurse under direct supervision of a HCP, or by a provider of health care services under orders of, or on a referral by, a HCP; or
 - b. Treatment by a HCP on at least one occasion, which results in a regimen of continuing treatment under the supervision of the HCP.
 - c. The requirements of paragraphs I and II of this section for treatment by a HCP means an in-person visit to a HCP. The first or only in-person visit must take place within seven days of the first day of incapacity.
 - d. Whether additional treatment visits or regimen of continuing treatment is necessary within the 30-day period shall be determined by the HCP.
 - e. The term extenuating circumstances in paragraph a) I of this section mean circumstances beyond the employee's control that prevent the follow-up visit from occurring as planned by the HCP. Whether a given set of circumstances are extenuating depends on the facts. For example, they exist if the HCP determines that a second in-person visit is needed within a 30 day period, but the HCP does not have any available appointments during that time period.
 - B. Pregnancy or prenatal care: Any period of incapacity due to pregnancy or for prenatal care.
 - C. Chronic conditions: Any period of incapacity or treatment for such incapacity due to chronic serious health condition. A chronic serious health condition is:
 - a. Requires periodic visits (defines as at least twice per year) for treatment by a HCP, or by a nurse under direct supervision of a HCP;

Continues over an extended period of time (includes recurring episodes of a single underlying condition); and

May cause episodic rather than a continuing period of incapacity (e.g. asthma, diabetes, epilepsy etc.).

- D. Permanent or long term conditions: A period of incapacity which is permanent or long-term due to a condition for which treatment may not be affective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by a HCP. Examples include Alzheimer's, a severe stroke, or the terminal states of a disease.
- E. Conditions requiring multiple treatments: Any period of absence to receive multiple treatments by a HCP or by a provider of health care services under orders of, or on referral by, a HCP for:
 - a. Restorative surgery after an accident or surgery.
 - b. A condition that would likely result in a period of incapacity of more than three consecutive, full calendar days in the absence of medical intervention or treatment such as cancer, severe arthritis or kidney disease.
- F. Absences attributable to incapacity under (B) or (C) of this section qualify for FMLA even though the employee or covered family member does not receive treatment from a HCP during the absence, and even if the absence does not last more than three (3) consecutive full calendar days. For example, an employee with asthma may be unable to report to work due to the onset of an asthma attack or because the employee's HCP has advised the employee to stay home when the pollen count exceeds a certain level. An employee who is pregnant may be unable to report to work because of severe morning sickness.

Notice of Leave and Certifications

When the necessity of leave is foreseeable, the employee must provide the City at least thirty (30) days' notice of the employee's intention to take leave. If not foreseeable, you must at least give notice as soon as practicable (within 1 to 2 business days of learning of your need for leave, except in extraordinary circumstances) and must comply with the City's required call-in procedures.

When requesting leave the first time for a particular FMLA or Military Caregiver Leave qualifying reason the employee must provide sufficient information depending on the situation, for the City to determine whether FMLA or Military Caregiver Leave will apply. Sufficient information may include that the employee own serious health condition; the family member is unable to perform daily activities, hospitalization or circumstances supporting the need for exigency or Military Caregiver Leave. The Human Resource Department should be notified of the intended notice of leave. The applicable *FMLA and Military Caregiver Leave request PAR and notices* indicating eligibility, rights and responsibilities and *certification forms* will be sent to the employee within 5 days. Completed forms and requested documentation must be returned back to Human Resources within 15 days. If certification or recertification is complete/sufficient the City's HR Director, HR Administrative Assistant, Office Manager, management official or HCP may contact the employee's doctor directly to authenticate and/or clarify the certification or recertification.

If certification is not returned at all within 15 days and the employee has not provided information about his/her diligent, good faith efforts, leave can be denied. The Human Resources Department will provide the employee with final designation that the leave qualifies (or not) as FMLA or Military Caregiver Leave in writing within 5 business days of receipt of certification or information absent extenuating circumstances. If certification forms are incomplete or insufficient, the employee has 7 calendar days to cure the deficiencies. If certification is not returned at all within any required 7-day cure period, or is timely returned but does not cure the deficiencies, leave can be denied.

The City reserves the right to obtain a recertification or a second medical opinion from a City approved health care provider for purposes of validating the employee's medical certification. If the second opinion differs from the original opinion, the City reserves the right to obtain a third medical opinion from a health care provider mutually approved by both the employee and the City. The third opinion is final and binding on both the employee and the City.

The City may require an employee on FMLA or Military Caregiver Leave to report periodically on his/her status and the intention of the employee to return to work, and also may require periodic re-certification of the medical condition.

Intermittent Leave

Leave may be taken intermittently or on a reduced leave schedule. Employees must make reasonable efforts to schedule leave for planned medical treatment to avoid disruption of the City's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis. Where an employee requests intermittent leave or leave on a reduced leave schedule due to a family member's or the employee's own serious health condition, the City has the option, in its sole discretion, to require the employee to transfer to a temporary alternative job for which the employee is qualified and which accommodates the intermittent leave or reduced hours leave better than the employee's regular job. The temporary position will have equivalent pay and benefits as the employee's regular job.

Benefits

During an FMLA or Military Caregiver Leave, the City will continue to pay its portion of the health insurance premiums and the employee must continue to pay his/her share of the premium. Failure of the employee to pay his/her share of the health insurance premium may result in loss of coverage. If the employee does not return to work after the expiration of the leave, the employee will be required to reimburse the City for payments of health insurance premiums during the FMLA or Military Caregiver Leave, unless the employee does not return because of the presence of a serious health condition which prevents the employee from performing his/her job or circumstances beyond the control of the employee.

During unpaid FMLA or Military Caregiver Leave, the employee shall not accrue employment benefits such as vacation pay, sick leave or personal days, etc. Employment benefits accrued by the employee up to the day on which the FMLA or Military Caregiver Leave begins will not be lost.

Return to Work

Certain key employees (a salaried FMLA-Eligible employee who is among the highest paid 10 percent of all the employees) are not guaranteed restoration to their position if they take

FMLA leave. If you are designated as a key employee and affected by these “key employee” provisions, the Human Resources Department will inform you when you apply for the FMLA leave.

Any employee whether determined to be a key employee or not who returns to work from FMLA leave within or on the business day following the expiration of the leave are entitled to return to their job or an equivalent position without loss of benefits or pay.

All employees returning from leave for their own serious health condition are required to provide a fitness for duty certification indicating they can return to work.

Bereavement Leave

In the event of a death in the immediate family of an employee of the city, the City will compensate up to three (3) working days in the immediate area or four (4) working days if out of State.

An additional ten (10) working days may be requested by the employee for approval by the Senior Staff Member and the City Manager. If approved, the ten (10) additional working days can be taken as unpaid leave or be taken as paid leave using either sick or vacation leave time if available.

Emergency Leave

When an employee is absent from work due to reasonable circumstances beyond his or her control, the City Manager may grant emergency leave.

Injury Leave

The City provides Worker's Compensation insurance for all City employees during working hours. If employees are injured on the job, they will receive their full salary (7 days) until they are able to return to work or until Workers' Compensation temporary total disability insurance becomes effective. While they are receiving Worker's Compensation benefits, an employee may be allowed to also use any accumulated sick leave or vacation time at the discretion of the City Manager.

Arrest or Incarceration

An employee who is unable to report for work because of arrest or incarceration shall be placed on leave of absence without pay. The duration of the leave of absence will depend upon the reasonable operating needs of the department. However, an employee's circumstances will be reviewed by the City Manager and legal counsel before termination is initiated. If the employee is unable to secure bail, the leave of absence may continue until final disposition of the charges. If the employee is freed on bail, resumption of active employment pending disposition of the charges will be decided after consultation between the employee's Department Head, Senior Staff Member, and the City Manager to determine whether employment would be consistent with the safe and efficient operation of the City and within the policy guidelines thereof.

Civil Leave

It is the civic obligation of each City employee to serve on a jury if they are called. While on jury duty or while appearing as a legally required witness, an employee will receive jury or witness pay with the City paying the difference between the jury and witness pay and the employee's regular rate of pay. The City Manager may require proof of jury service before allowing any time off and pay for jury duty.

Leave of Absence

Requests for a leave of absence or any extension of leave must be submitted in writing or verbally to the employee's Department Head and/or Senior Staff member. Employees who return to work at the conclusion of a leave of absence shall be restored to their former position or to a comparable position at the same rate of pay unless circumstances have changed so as to make it impossible or unreasonable to reinstate the employee and they shall retain credit for prior service and accrued retirement benefits. If employees fail to return to work at the conclusion of a leave of absence, the leave will be canceled and employment terminated. The effective date of termination will be the last day worked. An absence of an employee from duty, including any absence for a single day or part of a day, that is not authorized by a specific grant of leave of absence under the provisions of these regulations shall be deemed to be an absence without pay and shall be cause for disciplinary action and/or termination.

Parent Teacher Conference Leave

The City encourages its employees to be involved in their children's education. Each employee is encouraged to attend the conference regarding their child or children and are not required to take leave without pay. The City will pay employees for two hours each semester. The Department Head will forward the request to the City Manager recommending approval or disapproval. The final decision concerning the request will be made by the City Manager.

Voting

Any employee entitled to vote at an election may be excused from work for a period not to exceed two (2) consecutive hours between the time of opening and closing of polls. The City may specify the time during the day the employee may vote which shall not include any time during the regular lunch period.

Domestic Violence, Sexual Assault, Trafficking and Stalking

Pursuant to KSA 44 -1132 The City may not discharge, discriminate or retaliate against an employee who is a victim of domestic violence/sexual assault for taking time off from work to:

- A. Obtain a restraining order or other injunctive relief
- B. Seek medical attention
- C. Obtain services from a shelter, program or crisis center
- D. Make court appearances

Certification - An employee must give the City advanced notice unless it is not possible to do so. The employee must provide certification within 48 hours after returning to work. Certification can include the following:

- Police report
- Court order
- Documentation from a medical professional, advocate, health care provider or counselor

Leave Usage – An employee may use any accrued paid leave or, if paid leave is unavailable to the employee, unpaid leave, not to exceed a total of 8 (eight) days per calendar year.

Conduct – Behavior of Employees

Policy:

It is the policy of the City that certain rules and regulation regarding employee behavior are necessary for the efficient operation of the City and for the benefit and protection of the rights and safety of all. Conduct that interferes with operations, brings discredit on the City, or is offensive to citizens or fellow employees will not be tolerated. We have not attempted to list every infraction, but instead have listed some basic rules. The discipline policies cannot cover all circumstances that arise in the employment relationship. Additional reasons for disciplinary action may be necessary depending on the circumstances. The City does not have a progressive discipline policy. In all cases of discipline, employees are employees-at-will and may be terminated at any time with or without cause. The City will discipline, up to and including termination, for violations of any City rule or policy including but not limited to the following:

Scope and Purpose:

1. All employees are expected to conduct themselves and behave in a manner which is conducive to the efficient operation of the City. Such conduct includes:
 - A. Reporting to work punctually as scheduled and being at the workstation, ready for work, at the assigned starting time, including trainings and seminars;
 - B. Notifying the supervisor when the employee will be absent from work, or is unable to report for work on time;
 - C. Complying with all City safety and health regulations;
 - D. Smoking only in specifically designated areas;
 - E. Wearing clothing appropriate for the work being performed;
 - F. Performing assigned tasks efficiently;
 - G. Maintaining work place and work area cleanliness and orderliness, including shared work spaces;
 - H. Treating all citizens and visitors as guests of the City; and
 - I. Safeguarding confidential information whether it is verbal or written information.
2. The following conduct is prohibited and will subject the individual involved to disciplinary action up to and including termination:
 - A. The use of alcoholic beverages on City property, work sites or reporting for work while under the influence of alcoholic beverages or cereal malt beverage; this includes all employees designated for “standby” response.
 - B. The use of profanity or abusive language;

- C. Sleeping while on duty;
- D. Unacceptable demeanor about work that is visible to coworkers and influences the work environment. Unsatisfactory performance in carrying out duty assignments on the job;
- E. Sexual harassment and/or discrimination;
- F. Insubordination - the refusal by an employee to follow management's instructions concerning a job-related matter;
- G. Assault and/or battery on a fellow employee or citizen;
- H. Horseplay while on duty. Behavior or noise that is detrimental to the productivity of employees or the organization;
- I. Theft or misuse of City property or of another employee's property;
- J. Gambling on City property or work site;
- K. Falsifying any City record or report, such as an application for employment, a production record, a time card, or shipping or receiving records;
- L. Being convicted of a crime involving moral turpitude;
- M. Being absent without leave;
- N. Excessive tardiness or abuse of sick leave;
- O. Inefficiency or ineffectiveness;
- P. Abuse or damage to City property through negligent or carelessness by an employee;
- Q. Misuse of a firearm or other weapon;
- R. Willfully giving a false statement to supervisor, officials, the public or the City Commission;
- S. Violation of City administrative regulations or departmental rules;
- T. Acceptance of gratuities in conflict with the policy;
- U. Refusal to be examined by the City designated physician and/or psychologist when so directed;
- V. Political activity in conflict with the City's policies
- W. Borrowing City property for personal use;
- X. Conduct on or off the job unbecoming to a City employee or which brings discredit to

the City; and

- Y. Any other violation of federal, state or City laws, statutes or ordinances
3. It is the policy of the City to prohibit the consumption, sale, dispensing, or possession of illegal drugs and narcotics (controlled substance: KSA 65-4101 et. seq. Uniform Controlled Substance Act and Amendments thereto) and alcoholic beverages, to include cereal malt beverages, on its premises and throughout the City when employees are performing their assigned duties. This prohibition also covers all legal or prescription drugs, which may impair an employee's ability to perform their job. This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their doctors about the medications' effect on their fitness for duty and ability to work safely and promptly disclose any work restrictions to their supervisor. Employees should not, however, disclose underlying medical conditions unless directed to do so.
 - A. Employees who are suspected of drug abuse should be reported to their supervisor.
 - B. Supervisors should not attempt to provide counseling services to suspected drug users, since diagnosis and rehabilitation are the functions of qualified experts.
 4. It is the policy of the City that employees may not exchange their personal checks for cash from any City department. Additionally, the City will not cash the employee's bi-weekly payroll check.
 5. The foregoing examples are illustrative of the type of behavior that will not be permitted, but are not intended to be all-inclusive. Any questions in connection with this policy should be directed to the Human Resources Director.
 6. Employees who have received disciplinary action shall have the right to counsel with the appropriate Department Head/Senior Staff member and the City Manager in accordance with the guidelines established in the Grievance Policy.
 7. The City maintains it's standing as an employment-at-will employer, and reserves the right to use disciplinary action up to and including termination.
 8. The conduct of police officers working undercover is governed by the departmental policies of the Police Department as approved by the City Manager.

Personal Finances of Employees

Policy:

It is the policy of the City that all employee are expected to timely discharge their financial obligations so that creditors will not have to ask for the City's assistance in collecting amounts owed to them.

Scope and Purpose:

1. Whenever the City is served with a writ of garnishment or attachment, a notice of levy by the Internal Revenue Service or other taxing authority, or any other similar order requiring payment of a portion of an employee's compensation to someone other than the employee, management must immediately refer the matter to the Payroll Department for appropriate action. Failure to act promptly may render the City legally liable.
2. In the event that garnishment or similar proceedings are instituted against an employee, the employee will be notified and the City will deduct the required amount form the employee's paycheck. The amount deducted from an employee's disposable earnings will not exceed that permitted by law.
3. Pursuant to KSA 60-729 the City of Garden City will withhold a cost recovery fee of \$10.00 per pay period up to twenty (\$20.00) a month to defray the expense in complying with a wage garnishment orders (exception – child support withholding orders). Employees are notified that the City will deduct the amount permitted by law. Compliance with writs of garnishment imposes an administrative burden on the City. In addition, the failure of employees to meet their financial obligations does not reflect favorably on the City and frequently has an adverse effect on the employee's job performance.
4. Whenever a supervisor has reason to believe that an employee is experiencing financial difficulties and it is affecting job performance, the supervisor shall investigate the situation and, if circumstances require, proceed in accordance with the policies contained in the City's Employee Assistance Program.
5. Employees will not be terminated by reason of the fact that their earnings have been subjected to garnishment..
- 6 Employees are expected to promptly meet their financial obligations to creditors as well as governmental taxing authorities

Public Relations

Policy:

It is the policy of the City to provide the public with the best possible service. Employers are expected to treat all people in a courteous, respectful manner at all times. Employees must always maintain a clear distinction in public expression, whether written or oral, between an individual viewpoint and that of the City of Garden City. Employees must obtain prior approval from the City Manager before releasing any article for publication or making any public address, which will contain information in any way involving the City of Garden City.

1. Employees should always remember that the citizen comes first and is entitled to the same thoughtful treatment that employees would like to receive. People should not be treated in a condescending or impolite manner and should be served promptly.
2. When a citizen approaches an employee with a question or complaint, the employee will give the matter immediate attention. If a person becomes abusive or argumentative and the employee cannot properly handle the situation, the person should be referred to the employee's supervisor.
3. Employees should be particularly careful to exercise courtesy and thoughtfulness in using the telephone. The following procedures should be observed whenever possible:
 - A. When answering the telephone, give the name of the department and the identity of the speaker;
 - B. If the person with whom the caller wishes to speak is on another line, ask the caller if they desire to be placed on hold;
 - C. If a caller has been placed on hold, offer to have the call returned if the person with whom they wish to speak is not available within a reasonable time.
4. All inquiries will be followed up within a reasonable time period. City employees receiving inquiries or concerns will provide the inquirer a given time in which they will provide a follow up response. In other words, tell them when you will get back to them on their inquiry or concern.
 - A. Impolite, abrasive, unprofessional behavior in dealing with the public is totally unacceptable. Such behavior could result in disciplinary action, which may include termination of employment.
 - B. This policy is the basis of the City's relationship with the public. Based on the nature and visibility of the Public Safety professionals, other factors are a consideration and requirement for their conduct on and off duty. These factors are addressed in the departmental policies.
 - C. Remember, we are public employees serving the community of Garden City. Our mission statement promotes efficiency, effectiveness and equality in servicing our community. Service, being a cornerstone of our purpose, requires all citizens to be treated with the highest of respect regardless of ethnic origin, sex, political affiliation or economic class. Servicing our citizens, in whatever capacity, is our first priority.

Solicitation

Policy:

It is the policy of the City to prohibit solicitation and distribution on its premises by non-employees. Employees may engage in solicitation and distribution only as outlined below.

Scope and Purpose:

1. Unrestricted solicitation on City premises interferes with the normal operations of the organization, is detrimental to discipline and efficiency on the part of employees, is annoying to citizens and poses a threat to City security.
2. Persons who are not employed by the City are prohibited from soliciting funds or signatures, conducting membership drives, distributing literature or gifts, offering to sell merchandise or services, or engaging in any other solicitation or similar activity without having authorization from the City Manager.
3. The City authorizes fund drives by a limited number of charitable organizations. Supervisors and employees may volunteer to assist these organizations in conducting their drives if they have prior approval from the Department Head/Senior Staff member. Each employee may decide whether or not to contribute. There will be no discrimination against employees because of their willingness or unwillingness to participate.

Political Activity

Policy:

1. The conduct of an employee of the City should be in the public interest - not as an individual interest. High standards are essential to good municipal service and are expected of each employee.
2. Employees are expected to exercise their rights as citizens. However, in accordance with the provisions or purposes of the Hatch Act (Public Law 252, 76 Congress, as amended) and policies of the City, employees shall not:
 - A. Use their office to influence elections or nominations, or for other political purposes;
 - B. Solicit or receive political contributions;
 - C. Require or advise other employees to make political contributions;
 - D. Be a candidate for election to public office or take an active part in political campaigns, or be active in political management if the elected office and/or campaigns are deemed a "conflict of incompatibility";
 - E. Use political influence in connection with their employment status; or
 - F. Display or wear any political campaign buttons, signs or slogans on their person during work hours, nor shall any employee attach or display any political buttons, slogans, signs or stickers on City owned property or vehicles.

Employees shall be free to vote as they choose and to express their opinions on all political subjects and candidates.

3. City employees should be sensitive and responsible in their relationship with a City Commissioner/s to avoid the perception the employee is attempting to use political influence for personal gain. The City Manager, as set forth in KSA 12-1014 is the sole employee directly responsible to the Governing Body for administering all city operations.
4. City employees are citizens of the community, and the exercise of their rights is encouraged when expression of their views to a City Commissioner/s is warranted in cases of public property, community improvements, code questions and other acts that may affect their property or interests. Nothing in this policy is intended to interfere with a City employee's 1st Amendment Right to openly discuss an issue of public concern.

Running for Public Office

In the event employees should desire to run for political office that is deemed a "Conflict of Incompatibility", they may be granted a special leave subject to the following conditions:

1. An employee may remain with the City until the last official filing date unless the campaign begins prior to the filing date, at which time special leave must be requested.

2. If the employee is elected to the office sought, city employment will terminate at that time.
3. If an employee is not elected the employee may return to the position with the City if it is still vacant.

**Note: Special leave in this case does not guarantee that the City will hold the position open.*

In the event employees should desire to run for public office in which a "Conflict of Incompatibility" does not exist, they must comply with the following:

1. Notify the City Manager in writing announcing the office they are seeking.
2. Await the City Manager's determination concerning the status of the public office. This determination, with approval/disapproval, will be in writing and may establish certain conditions in seeking a public office.

Travel

Policy:

It is the policy of the City to reimburse employees for the expenses of travel, including the cost of transportation, meals, and lodging; provided such travel is approved and performed in the course of conducting City business and proper documentation is submitted.

Scope and Purpose:

The intent of this policy is to prescribe the acceptable guidelines for expenses incurred by the City Commission and City Employees while attending authorized meetings and related travel.

Attendance Authorization

1. Attendance by City employees at professional meetings, educational seminars and training sessions is encouraged in general and shall be approved by the appropriate Department Head, Senior Staff member and/or the City Manager. For meetings, seminars and training sessions located outside of Finney County, travel shall be requested in writing in advance with the completion of a Personnel Action Report and a Travel Expense Report. The Travel Expense Report shall include the dates to be gone, purpose of travel, anticipated budgeted meals, lodging, transportation and registration fees. Any prepaid expenses will be supported with receipts even though a city purchase card may be used by the employee. Upon return to the city, the employee will complete the Travel Expense report with receipts for all expenses for final approval and payment or reimbursement. Failure to provide a receipt(s) or other appropriate documentation of expense may result in the employee covering the cost.
2. The City will, upon final approval of the City Manager, agree to pay travel expenses incurred by a City employee when traveling within a 2,000 mile radius of Garden City. Travel beyond these boundaries will become the responsibility of the employee.
3. All departments are to keep a file for each employee who incurs travel expenses along with all records pertaining to such expense, i.e., PAR, receipts, etc. These files are subject to random checks by the City's financial auditors and city management. The files should be used to prepare annual budget requests.
4. Attendance by members of the City Commission at professional meetings, educational seminars and training sessions outside of Finney County, shall be authorized and approved by the Governing Body.

City Commission Reimbursement

The City shall pay or reimburse all authorized registration fees, transportation costs, lodging, meals, and other related expenses for the City Commission within the provisions and guidelines (with the exception of the authorization by the City Manager) established by the adoption of this policy, unless otherwise specifically provided for by the Governing Body. Requests for reimbursement by individual City Commissioners shall be submitted to the City Manager or their designee who will process those requests within the provisions outlined by this policy.

Registration Fees

The City will pay registration fees, transportation, lodging, meals and other necessary costs associated with the attendance of employees at authorized training programs, professional conferences and other City related meetings and functions.

Transportation

1. The City will make available a City vehicle and gas card(s) to the employee for transportation to city related meetings being held within a reasonable driving distance of Garden City. Each Department Head or Administrative Support staff shall be responsible for arranging transportation for their employees.
2. If a City vehicle is not available and the employee does not receive a car allowance, or the employee desires to use a personal vehicle for transporting additional persons or for convenience, the City Manager may authorize the use of a personal vehicle by the employee. If approved by the City Manager, the City will reimburse the employee only for the cost for fuel expended to and from the meeting destination upon presentation of receipts, unless a gas card or a city purchase card is used.
3. When approved by the City Manager, the City will provide air transportation to attend authorized meetings, training sessions, etc. If at all possible, air transportation shall depart from and return to the Garden City Regional Airport. Air fares available from Wichita, Amarillo or Colorado Springs will be considered if considerably less than GCRA.
4. The City will reimburse the employee for transportation related expenses associated with vehicle rental (if authorized), taxi, bus or shuttle fares, turnpike expenses, and parking expenses only upon presentation of receipts.
5. If an employee is approved for using their personal vehicle for attending city related meetings, and who has a family member(s) accompanying them will be responsible for all expenses incurred by the family member(s).
6. If an employee is approved for using their personal vehicle for attending city related meetings and, once the meetings are concluded, decides to take personal time off for personal use, will become responsible for any gas and/or other expenses incurred.

Lodging

1. The City will not be responsible for lodging expenses if the meeting or seminar is held within one hundred (100) miles of Garden City unless previously approved by the City Manager.
2. When an overnight stay is approved, the City will pay for a single room for that employee. If the employee's spouse and/or family accompany him/her, the employee will be responsible for the difference (if any) in the cost of the room as well as all other expenses associated with their spouse/family.
3. An employee may stay in the designated conference hotel/motel if the rates are

reasonable and authorization is received from the City Manager.

4. Whenever possible, the employee's expenses will be charged to an assigned City credit card. If the above option is not available, the employee will be reimbursed for authorized lodging expenses upon presentation of the required receipts and forms.
5. The City will not be responsible for personal phone calls, beer/liquor, snacks, beverages not associated with meals, laundry services, toiletries, clothes, or in-room movies that are either charged to the room or otherwise incurred.

Meals

1. The City will pay for meal expenses (including gratuity) associated with authorized travel upon verification by providing detailed receipts.
2. The meal expense allowance will be a maximum of thirty-five dollars (\$35) per day with no per meal limits. This amount includes gratuity.
 - For continuous travel that is longer than one day, the total meal allowance should not exceed the combined total for all days.
3. For authorized travel to areas designated by the State of Kansas as "High Cost Geographic Areas", a maximum allowance of forty-five dollars (\$45) per day, including gratuity, will be used.
4. Employees will not be reimbursed for meal expenses that have been included as part of conference or meeting registration fees. In order to be reimbursed for meals while traveling, the employee must travel overnight, obtain lodging or meet the criteria of the Business Meal and Entertainment Policy.
5. The City will not pay for beer or alcohol.
6. Exceptions to this policy may be authorized by the City Manager for special circumstances, including but not limited to instances when the City acts as a sponsor or host for a particular meeting/function or for official guests.

Non-Exempt Travel - Compensation

Travel

Non-exempt employees will receive compensation for hours spent at a pre-authorized conference, training class and for any travel that occurs during their regular scheduled work hours. Thus, employees that work different shift hours may be compensated differently. Travel is considered work time when it is inclusive of the employee's normal work hours, and qualified travel time that extends beyond their normal scheduled work hours and involves actual work. The Department of Labor does not consider work time spent in travel in excess of regular working hours as a passenger on any form of transportation to be compensable.

Work Performed While Traveling

Employees that are required to perform work (driving or assists with driving) while traveling will be compensated for actual hours worked.

Business Meals and Entertainment

Policy:

It is the policy of the City to reimburse employees for the expenses of business meals and entertainment, provided that it is approved and performed in the course of conducting City business and proper documentation is submitted.

1. If the meal takes place in a clear business setting and is for the City's business or work, the expenses are considered directly related to the City's business or work. If meal reimbursements meet the directly related test and one of the three tests below, they are excludable from wages.
 - A.. The main purpose of combined business and meal is the active conduct of business,
 - B Business is actually conducted during the meal period, and
 - C. There is more than a general expectation of deriving income or some other specific business benefit at some future time.
2. The examples of acceptable business expenses are commission lunches, utility luncheons, civic meetings, professional membership meetings, employee evaluation lunches and meals as part of the recruitment process. Employees and/or Commissioners must provide detailed receipts and provide information on the topic and attendees of the business meal and attach to the Visa Log Sheets.

Reimbursements and Reconciliation of Expenses

1. Within seven (7) calendar days of return to work, reimbursement requests shall be submitted to the employee's immediate supervisor. Any expenses that are pre-paid or paid by City credit card shall be submitted as soon as possible after bills are received, along with payment for any expenses reimbursable to the City.
2. All requests for reimbursements shall be made on the City's Reimbursable Travel Expense Report. All expenses eligible for reimbursement shall have receipts, which will be attached to this report form. A purchase order form will also accompany the Travel Expense Report.
3. Regardless of whether travel expenses are reimbursed, pre-paid by the City, or paid with a City credit card, it is the employee's responsibility to furnish proper receipts and other necessary documentation. If itemized receipts are not available, employees must clearly note the type and purpose of the expense and what portions, if any, are ineligible for reimbursement. Failure to provide proper documentation will result in the employee being responsible for the expense.
4. Any dispute regarding an employee's reimbursement for travel expenses shall be negotiated with the City Manager. The City Manager's decision shall be final and not subject to appeal. Employees who fail to follow this policy may find it addressed during their annual performance evaluation.

Employee Transportation

Use of City Owned Vehicles

1. A City owned vehicle is to be used for official business only. Employees required to retain vehicles overnight cannot use such vehicles for private purposes.
2. The personal use of a City owned vehicle is a taxable fringe benefit according to IRS regulations. Personal use includes the value of commuting to and from work in a City vehicle, even if the vehicle is taken home for on-call purposes. An amount of \$6.00 per day or \$3.00 per one-way commute (home to work or work to home) is a non-cash taxable fringe benefit to the employee, includible in gross income. Each month, those employees that utilize a City owned vehicle for commuting purposes must complete an IRS Vehicle Form and return to it Payroll. The commuting amount will be added to their gross income on a quarterly basis. The use of qualified non-personal use vehicles are not considered a taxable fringe benefit. These include the following:
 - A. Clearly marked police and fire vehicles.
 - B. Unmarked vehicles used by law enforcement officers who are authorized to carry a firearm, execute search warrants, and make arrests.
 - C. Loaded vehicles with a gross vehicle weight over 14,000 pounds.
 - D. Specialty utility repair trucks.
3. Under normal circumstances, no one except employees of Garden City should ride in public vehicles. Naturally, police vehicles are used for transporting individuals who are not employed by the City, as related to law enforcement.

This policy applies to all other City equipment and property.

4. The assignment or provision for a City vehicle to various employees may be revised, rescinded, or amended by the City Manager as community needs change and as job responsibilities change.
5. Exceptions to this policy must be approved by the City Manager. Before employees will be permitted to drive a City vehicle, they must have a valid Kansas driver's license. Some employees operating specific classes of vehicles and equipment will be required to have a valid commercial driver's license. Employees operating City vehicles are expected to fully observe all traffic laws. City employees who demonstrate careless disregard for traffic regulations damage the image of the City of Garden City and jeopardize their jobs.

Responsibility of Drivers

Employees of the City are expected to correctly operate and practice all safety precautions and laws when utilizing a City vehicle, including the proper use of seat belts as regulated by State law. If repair or maintenance is necessary, the employee is responsible for reporting it to the Department Head or supervisor, who is responsible for coordinating the repairs.

All City employees are subject to all traffic laws while driving a City owned vehicle.

Accidents Involving City Owned Vehicles

If, while operating a City-owned vehicle, employees are involved in an accident that results in personal injury or property damage, employees must: Notify the Police Department immediately;

Insist that all parties and property concerned remain at the scene of the accident until Police Officers can investigate;

Report the accident no matter how minor, to the Department Head; Not discuss the accident at the scene with anyone but the Investigating Officer and supervising personnel; and Department Heads will notify the City Manager of accident as soon as possible. All employees involved in the accident must complete incident reports and turn in to the Human Resources Department.

Drugs, Narcotics and Alcohol

Policy:

It is the policy of the City to prohibit the consumption, sale, dispensing, or possession of illegal drugs and narcotics (controlled substances: KSA 65-44101 etc.) and alcoholic beverages, to include cereal malt beverages on its premises and throughout the City when employees are performing their assigned duties. This prohibition covers all legal or prescription drugs that may impair an employee's ability to perform his/her job.

Scope and Purpose:

1. Any employee reporting to work under the influence, or suspected of being under the influence of drugs, narcotics or alcohol will not be permitted to begin his/her assigned duties. The Supervisor, if trained, will seek a second opinion from a trained Supervisor and if two trained Supervisors concur, the employee will be tested immediately to determine his/her condition. An employee tested will not be permitted to perform his/her assigned duties until test results have been reported to the employer clearing the employee to return to work.
2. Employees possessing un-prescribed drugs or narcotics or alcoholic beverages at work, using them on City premises, or dispensing or selling them on City premises will be subject to disciplinary action, up to and including dismissal.
3. Employees who must use prescribed drugs or narcotics during work must report this fact to their Department Head along with acceptable medical documentation. A determination will then be made about whether the effects of the drug or narcotic will pose a potential safety risk in light of the nature of the employee's work assignment. This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their doctors about the medications' effect on their fitness for duty and ability to work safely and promptly disclose any work restrictions to their supervisor. Employees should not, however, disclose underlying medical conditions unless directed to do so.
4. All City positions including those identified as requiring a CDL or who are discharging safety sensitive duties will be subject to random testing as mandated by the Omnibus Transportation Testing Act, the FAA and City policy using the process adopted by the City Commission. An applicant for employment must pass a drug test before he/she can be hired for any position in the City. Attachment A identifies City positions that are subject to random, reasonable suspicion, post offer, post-accident drug
5. An employee involved in an accident will be subject to drug and/or alcohol testing for the use of controlled substances or alcohol as soon as possible after the accident. Any employee who is seriously injured and cannot provide a specimen at the time of the accident may be required to provide the necessary authorization for obtaining hospital records and other documents that would indicate whether there were any controlled substances or alcohol in the employee's system.
6. A drug/alcohol test may be directed by the City when reasonable suspicion has been recommended by two (2) trained supervisors or managers, trained to identify

drug/alcohol symptoms. The test will be conducted in compliance with the City's established policies and procedures governing employee testing. All precautions will be taken, to ensure compliance and confidentiality.

7. All tests, test analysis and treatment recommendations will be conducted by qualified and certified medical personnel as determined by the federal and state law.
8. Failure to pass a pre-employment drug test will disqualify an applicant for employment with the City. Applicants may apply again at a later time.
9. Any employee who refuses, without valid medical verification, to submit to a drug/alcohol test when directed, will automatically be placed on unpaid leave of absence until the employee provides certification that they are free of drugs or alcohol. Failure to provide certification they are free of drug/alcohol effects within a reasonable time period will subject the employee to disciplinary action. The employee who refuses to be tested, will bear the cost of providing certification they are free of drug/alcohol effects and able to perform their assigned duties.
10. Any employee who is tested positive for drug/alcohol use will be subject to disciplinary action up to and including termination, depending on the facts surrounding the test; An employee who tests positive will be immediately suspended from duty with out pay and will not be returned to work until passing a drug/alcohol test as prescribed by his/her substance abuse counselor. The "Return to Duty" test will be at the employee's expense. Upon return to work the employee will be placed on probation for one (1) year. During this year the employee will be tested six (6) times at his/her expense in compliance with Federal and State Law. The employee may, in addition, be tested through random selection under City policy.
11. Any pay for performance evaluation of the employee by his superior during the probationary period will be conducted, however no pay increase awarded will be implemented until the one year probation period has been successfully concluded. This deferred increase **will not** be retroactive.
12. An employee who fails any of the six (6) follow up tests during the probationary period will be terminated.
13. Any employee, who concludes a successful therapy or rehabilitation program, may, with medical documentation and in compliance with City policies, return to work with no limitations or restrictions.
14. Any employee having problems with drug/alcohol and who wishes to seek treatment, may use the Employee Assistance Program (EAP) provided by the City.
15. The City will provide training for all management and supervisory personnel to qualify them for determining reasonable suspicion (behavioral pattern, actions, speech and mannerisms exhibited by drug/alcohol abusers). Trained managers and supervisors, may, when two (2) agree, schedule an employee for a drug/alcohol test.
16. The City will provide training for all City employees on drug/alcohol usage, the effects of continued usage on the mind and body, and the serious problems it causes the user in both his/her personal and occupational life.

Drug/Alcohol Testing – Financial Responsibility

1. Should an employee fail the initial drug/alcohol test he/she will pay any additional costs incurred for the confirmation test to determine the veracity of the initial test.
2. Should an employee fail a drug/alcohol test, he/she will pay the cost for the return to work test(s).
3. Upon return to work, the employee shall be fiscally responsible for all follow up tests required by Federal State or local laws or ordinances to complete the rehabilitation program. The City will reimburse the employee half of the costs of the test if all six (6) tests prove negative. All six (6) tests will be completed within a twelve (12) month period from the date of Return to Duty
4. An employee who fails his/her drug/alcohol test will be mandated to use the Employee Assistance Plan for counseling if counseling is recommended by the substance abuse professional.
5. In the case of inpatient substance use treatment, the City's Health Insurance Plan provides for a treatment period if it is deemed medically necessary. While on leave, the employee must use their accrued sick or vacation time, if any. If no time is available, the employee must request an unpaid leave of absence. The employee may apply for leave from the City's sick leave bank, and leave may be granted according to the requirements and terms of the sick leave bank program.

Pay Schedule

Re-test of the Original test	\$150.00
Return to Duty	\$72.00
6 Random Follow-up test (\$63.50 each)	\$432.00
Upon successful completion of 6 negative random tests, the City will reimburse you for 3 tests (\$63.50 each)	\$216.00

**Cost schedule subject to change for specific costs, for updated cost schedule contact the Human Resources Department.*

ATTACHMENT A		
Classifications for Random Testing		
1.	Police Officers	
	A.	Personnel up to Sergeant, excluding Records Clerks, Systems Manager, Administrative Assistants
2.	Electric Utilities	
	A.	Foreman
	B.	Journeyman Lineman/Apprentice
	C.	Substation Technician/Apprentice
	D.	City Master Electrician/Apprentice
	E.	Generation/VFD Specialist
	F.	Service Installer
	G..	Meter Testing Technician
	H.	Warehouse/Environmental Technician
	I	Electrical Technician
	J.	Groundsman
3.	Public Works	
	A.	Mechanic
	B.	Driver
	C.	Heavy Equipment Operator
	D.	Foreman/Supervisor
	E.	Laborer II
4.	Water & Wastewater	
	A.	Foreman
	C.	Utility Worker I, II, III and IV
	D.	Water - Operator I, II, III and IV
5.	Fire Department	
	A.	Fire Fighter I
	B.	Fire Fighter II
	C.	Lieutenant
	D.	Battalion Chief
6.	Airport	
	A.	Maintenance Worker
7.	Zoo	
	A.	Animal Keepers
8.	Any Classification requiring a CDL	
Classifications for Reasonable Suspicion Testing		
1.	All City Classifications	
Classifications for Post-Accident Drug Testing		
1.	All City Classifications	
Classifications for Post Offer Drug Testing		
1.	All City Classifications	

Break Policy

Policy:

It is the policy of the City that all employees will be permitted to take a break midway through the first four (4) hours of scheduled work and again at mid-point during the second four (4) hours of scheduled work.

Scope and Purpose:

The City in its effort to provide a break period on the premises has adopted the following policies:

1. All City Departments will be allowed to have coffee/tea makers, at the employee's expense in their departments for use by their employees.
2. Coffee, tea and soft drinks will be paid for by each employee partaking of them.
3. Any City Department that has official and/or ceremonial contacts with members of the community will, when appropriate, provide coffee, tea and/or soft drinks to these visitors at City expense.
4. Coffee, tea and/or soft drinks for Advisory Boards and Committee meetings will be provided at City expense when appropriate.
5. Coffee, tea and/or soft drinks for special occasion meetings or gatherings will, when requested, be acted upon by the City Manager.
6. Employees may utilize designated spaces such as break rooms or quiet rooms for break periods.
7. Employees may utilize accrued leave time if additional breaks are needed. Employees must work with supervisors in their department to coordinate additional break periods.

Tobacco Free Policy

Policy:

The policy of the City is to provide a safe and healthy work environment for all employees. In accordance with state law, city ordinance and consideration of the public, who visit City facilities and City employees, the City herewith, adopts this Tobacco Free policy, to govern all City facilities and City employees, while on duty.

Scope and Purpose:

1. There shall be no tobacco use in any City owned or operated facility or item of equipment to include vehicles. This includes smoking cigarettes, electronic cigarettes, nicotine delivery devices, cigars or pipes, and chewing tobacco.
2. No tobacco use will be permitted within (50) feet of hazardous or flammable material storage or mixing areas located in any city owned or operated facility.
3. No tobacco use is permitted near or around any city-owned or operated high tech computer or electronic equipment.
4. All areas to be posted as tobacco free unless otherwise designated as a tobacco use area. A tobacco use area will be first recommended and second, approved by City Management prior to its use by any city employee while on duty.
5. Tobacco use will be permitted in such designated areas; however, all such areas so designated shall be at least fifty (50) feet away from entrances to city facilities so as to eliminate second hand smoke inhalation by the public or other city employees.

The City will not approve the spending of any public funds maintained by the city to create or enhance a tobacco use designated area, except for expenses necessary to ensure proper disposal of cigarette butts.

Non Harassment Policy

Policy:

It is the policy of the City of Garden City that it will not tolerate verbal or physical conduct by any employee which harasses, disrupts, or interferes with another's work performance or which creates an intimidating, offensive, or hostile environment. The City is committed to providing all of its employees a work environment which is free of intimidation, insult and harassment based upon race, color, religion, gender, age, national origin, genetics, sexual orientation, veteran status or disability. All employees, whether supervisory or non-supervisory, are expected to uphold and abide by this policy. Any form of harassment of an employee by another is not, and will not be, tolerated.

No employee, either supervisory or non-supervisory, shall imply or threaten that another employee's refusal to submit to sexual advances will adversely affect that employee's employment, evaluation, pay, advancement opportunities, job assignments or any other aspect of employment.

In addition, other forms of harassment are absolutely prohibited. Such harassment includes, but is not limited to the following:

1. Touching, making improper advances or propositions.
2. Vulgar, profane comments/ jokes of a sexual nature directed toward a co-worker either verbally or in written form of a sexual nature.
3. Commenting or joking about an employee's physical appearance.
4. Displaying lewd, suggestive cartoons, pictures or photographs.
5. Offensive or derogatory remarks about an applicant or employee's genetic information, or about the genetic information of a relative of the applicant or employee

In its efforts to prevent discrimination or harassment of any kind, the City maintains an "open door" policy. All employees should report any incident of harassment to their immediate Supervisor, the Human Resource Director or any other member of management.

Appeal and Grievance Procedure

Policy:

It is the policy of the City to encourage employees to bring to the attention of their supervisors and City administration, concerns or problems about work related situations affecting employees. Employees will be provided with an opportunity to present their concerns through a formal grievance procedure. All grievances will be resolved fairly and promptly, in a manner consistent with due process, as well as a complete and thorough consideration of grievances. In any grievance involving a decision or action adversely impacting an employee, the employee shall have the burden of proof throughout the grievance procedure.

Scope and Purpose:

1. The purpose of a grievance policy is to ensure that all employees are afforded fair, equitable and expeditious review of their grievances, without fear of retaliation, coercion, or discrimination. A grievance must specially relate to a condition of employment directly affecting an employee, within the scope of the following:
 - A. Alleged violation, misinterpretation, or misapplication of federal or state statutes or regulations, or City ordinances, policies, or regulations concerning conditions of employment, to include, salary or wages, hours and amounts of work, vacation, sick leave, benefits, retirement, promotions, or evaluations
 - B. Unfair or unjustified discipline up to and including termination, imposed by a supervisor;
 - C. Alleged discriminatory or unfair treatment of an employee because of race, color, sex, age, religion, national origin, marital status, or sexual orientation; or
 - D. Unfair treatment of an employee resulting in coercion, retaliation, harassment, or intimidation.

A subject pre-empted by a federal or state law, or City ordinance, shall not be a proper issue for a grievance. A grievance must be specific to an employee, and may not be in the form of a general statement about the overall operation of the City. In situations where there is a reasonable doubt as to whether a concern is a recognized grievance which may be pursued under the grievance procedure, the Director of Human Resources shall make the initial determination as to whether the subject is proper for consideration under the grievance procedure. If a subject is not a proper grievance, it shall be dismissed by the Director of Human Resources.

2. A written grievance must be submitted to the employee's immediate supervisor within seven (7) calendar days of the incident, act, omission or decision giving rise to the grievance.
3. When an employee believes he/she has a grievance, as defined in paragraph (1) above, the employee should bring it to the attention of his/her immediate supervisor. The supervisor will investigate the grievance, attempt to resolve the grievance, and

to communicate a decision to the employee within three (3) business days. If the grievance is about the employee's supervisor, the employee shall be permitted to discuss the grievance with the superintendent or if none exists, with the Department Head.

4. If the employee is not satisfied with the supervisors' decision he/she may appeal the decision to the Department Head. The Department Head will meet with the employee and supervisor to hear both sides of the grievance. The Department Head will communicate his/her decision to the employee within three (3) business days as specified in paragraph (2).
5. If the employee does not agree with the decision, the employee shall prepare a written statement of the grievance for review by the Senior Staff member. The Human Resources Director will provide the Senior Staff member with the supervisor's and Department Head's decision along with all relevant facts and documents. The Senior Staff member will discuss the issue with the employee and supervisors involved and will render a written decision within five (5) business days, with a copy delivered to the employee.
6. If the employee is not satisfied with the Senior Staff member's decision, he/she may appeal the decision to a Peer Review Board. Notice of the appeal must be filed, in writing, with the Director of Human Resources within five (5) business days of the date of the Senior Staff member's decision.
7. The Director of Human Resources will select a Board composed of five (5) members, to hear the grievance within fourteen (14) business days from filing of the notice of appeal. The hearing may be continued by mutual agreement of the parties but under no circumstances shall a hearing be conducted more than thirty (30) days after the filing of the notice of appeal. Failure to timely proceed to a hearing by the employee shall be deemed a waiver of his/her right to a grievance hearing.
8. The Board will consist of two (2) supervisory/management personnel and two (2) non-supervisory employees of the City. None of the Board shall be employed in the same department as the grieving employee. The fifth (5th) member of the Board, who will serve as the chairperson, shall be a member of the public with an educational or employment background in personnel/human resources. The Director of Human Resources will serve as an advisor to the Board along with the City Counselor and assist in facilitating in the hearing.
9. The Board will hear and discuss the relevant information and review documentation concerning the grievance as provided by the employee and the City. The hearing shall be confidential, and closed to the public. Both parties shall have the ability to present witnesses and the employee may be represented by a person of his/her choosing. Formal courtroom procedures, including rules of evidence will not apply in the hearing. The Board shall ensure the employee is afforded a fair and impartial hearing, and that the parties are granted an opportunity for a full and complete presentation of all relevant evidence. However, all testimony and evidence must be relevant to the issue being grieved. Members of the Board may ask questions of the parties and witnesses and may request additional information as they deem necessary.

10. Upon conclusion of the hearing, the Board will have three (3) business days to submit a written recommendation to the City Manager. The City Manager shall have the authority to accept, modify or reject the recommendation received from the Board.
11. A final decision will be made by the City Manager within five (5) business days after receipt of the Board's recommendation. The City Manager's decision will be in writing and delivered to the employee and to the Director of Human Resources. Nothing in this policy or procedure is intended to limit the statutory and ordinance authority vested in the City Manager.
12. Time spent by the employee in grievance discussions with his/her supervisor, superintendent, Department Head, Senior Staff member and/or City Manager during their normal working hours will be considered hours worked for pay purposes.
13. The City Manager's decisions on grievances will not be precedent-setting nor binding on future grievances unless they are officially stated as City policy. Whenever possible, the decisions will be retroactive to the date of the employee's initial notice of grievance.

Workplace Violence Policy

Policy:

The City is committed to providing a safe work environment free from violence for the citizens of Garden City and City employees at City owned and operated facilities. This policy in addition, covers all city employees while performing city business at other non City owned locations and any act of violence perpetrated by a citizen against a city employee.

The City intends to utilize all reasonable methods to secure the work place from violence and protect employees and public persons including administrative and managerial procedures, legal oversight, disciplinary procedures, and if necessary, law enforcement intervention.

Scope and Purpose:

The objective of this policy is to achieve the following:

1. Reduce the potential for violence in and around the workplace;
2. Encourage and foster a work environment that is characterized by respect and healthy conflict resolution; and
3. Mitigate the negative consequences for employees and members of the public who experience or encounter violence while visiting city owned and operated facilities.

Employees shall be responsible for refraining from acts of violence. Employees shall be responsible to report any violent or potentially violent situations that arise in city facilities or elsewhere in the community, and for refraining from acts of violence. Employees shall seek assistance to resolve personal issues that may lead to acts of violence in the workplace.

Definitions:

The following words, when used in this policy, shall have the meanings ascribed to them below, except where the context clearly indicates a different meaning:

1. Violence - an act or behavior that:
 - A. Is physically assaultive;
 - B. A reasonable person would perceive as being obsessively directed, intently focused on a grudge, grievance, or romantic interest in another person, and reasonably likely to result in harm or threats of harm to persons or property;
 - C. Consists of a communicated or reasonably perceived threat to harm an individual or in any way endanger the safety of an individual;
 - D. Would be interpreted by a reasonable person as carrying potential for

physical harm to individual;

- E. is a behavior, or action, that a reasonable person would perceive as menacing;
 - F. involves carrying or displaying weapons, destroying property, or throwing objects in a manner reasonably perceived to be threatening; or
 - G. consists of a communicated or reasonably perceived threat to destroy property.
2. Weapon - any instrument capable of producing bodily harm, in a manner, under circumstances, and at a time and place that manifests an intent to harm or intimidate another person or that warrants alarm for the safety of another person. Weapons are further defined by K.S.A. 21-4201.

Prohibited Acts or Behavior

Employees are prohibited from committing any of the following acts or engaging in any of the following behaviors while discharging duties as an employee of the City, whether on City property or elsewhere, whether committed against co-workers or members of the public:

- 1. Any act or behavior defined as violence herein.
- 2. Criminal use or possession of a weapon, as defined by K.S.A. 21-4201.
- 3. Carrying concealed weapons (handgun, pistol or revolver) while in a City owned building, that has adequate security measures, as that term is defined by K.S.A. 75-7c20. Further, the Chief Judge of the 25th Judicial District may prohibit the carrying of a concealed firearm by an employee in the City municipal courtroom.
- 4. Any act defined as a crime in Articles 34 and 35 of Chapter 21 of the Kansas Statutes Annotated or Article 3 of the Uniform Public Offense Code.
- 5. Actively seeking out a person or persons who allegedly committed an act of violence for the purpose of revenge.
- 6. The prohibitions set forth in this policy shall not apply to law enforcement officers or other persons employed by City, county, state or federal law enforcement, investigatory, or regulatory agencies where the carrying of a weapon, concealed or otherwise, is part of and associated with, discharge of duties by an individual.

Procedure:

Employees shall call for immediate Police assistance if they believe that physical violence is imminent or is in progress. They should call 911 or 276-1300.

Otherwise, Employees shall report all acts or behavior of violence immediately to their Supervisor or Department Head, whether committed by employees or non-employees.

The Supervisor or Department Head shall immediately report any act or behavior of violence to the City Manager and Senior Staff member, who will inform the Human

Resource Director. In the case of acts or behavior committed by non-employees, the Police Department may be called in to investigate.

In the case of employee violence, the Department Head and Human Resource Director will immediately commence an investigation of the act/s or behavior of violence. Upon completion of their investigation they shall submit their report to the City Manager for his review and action.

The investigation into the alleged act/s of violence and subsequent actions will follow the policies and procedures provided in the Employee Handbook for disciplinary action.

Electronic Communications Equipment

Policy:

It is the policy of the City of Garden City that any electronic communication equipment or devices deemed necessary for City employees in the conduct of City business shall be provided by the City.

Scope and Purpose

This policy includes all radios, beepers, pagers, cell phones, or other electronic devices used for authorized communications capability. The policy covers employees during all working hours and when they utilize such equipment in City vehicles, motorized equipment and while working in shops, offices, and in all recreation and open areas.

Cell Phones

All City owned cell phones shall be used only for City government business and must be used in compliance with all applicable City policies. In addition, employees shall not utilize a City owned or personally owned cellular phone while driving a City vehicle or operating City equipment.

Personal Electronic Equipment

Employees may carry personal electronic communication equipment or devices to work as long as it does not, in the opinion of the supervisor, impede work productivity and/or safety. Employees who wish to bring personal electronic communication devices to work are required to notify their supervisor and obtain permission.

Acceptable Use Policy for Information Technology Systems

It is the policy of the City to establish the proper use of the Information Technology Systems (IT Systems) provided by the City to its employees for the purpose of performing job functions, including communication, information exchange, and research. The efficient utilization of IT Systems can improve customer service, productivity, and general cost effectiveness in City operations. This policy intends to discourage and eliminate inappropriate use of IT Systems. When using IT Systems, all City employees will comply with this policy, as well as any other policies, administrative guidelines, copyright laws, and operating procedures related to acceptable and responsible use.

Employees shall have no expectation of privacy, when using City IT Systems. The City may monitor, review, or investigate IT Systems use, at any time, with or without prior notice to an employee.

Definition:

City IT Systems shall include computers, network systems, Internet access, Internet e-mail, electronic mail, hardware, software, voice mail, phone systems, voice and data communications, printers, copy and fax machines, video cassette recorders, DVD players, pagers, radios, and electronic and digital equipment in general.

Information Technology Systems Policy

General:

1. All use of IT Systems must be related to City business, programs, or activities, dissemination of information to the public, or be specifically related to an employee's job responsibilities.
2. Users shall respect the copyright of all accessible information.
3. Employees using IT Systems shall strictly comply with all applicable federal and state laws pertaining to disclosure of confidential records and information.
4. The City has all rights to, and ownership of, materials or documents produced by an employee using IT Systems during hours for which the employee was paid or City supplies and/or equipment were used. The City may enter into an agreement in advance with an employee to produce materials or documents. In such cases, the agreement shall assign rights of use and ownership.
5. Employees who have knowledge of violations of this policy must promptly report the information to their supervisor.
6. Employees shall protect IT Systems from physical and environmental damage.
7. Materials, information, or records contained on IT Systems may be considered public records subject to public disclosure in accordance with the Kansas Open Records Act.

8. Non-City related communication during work duty time shall not interfere with an employee's job duties. Use of IT Systems may be terminated for excessive personal use.
9. When using IT Systems, employees shall be polite, use appropriate language, and conduct themselves in a manner consistent with efficient and courteous provision of municipal services
10. IT Systems should only be used for work-related purposes whenever a specific toll or charge is incurred.
11. No use of IT Systems shall serve to disrupt the use of the network by others.
12. Any materials published (electronic or hardcopy) using IT Systems must be for work related purposes and consistent with the practices and policies of the City. The City reserves the right to edit the content of published materials.
13. No encryption of communications is allowed unless necessary for the safety of employees or others, or as may be required by the Garden City Police Department or other law enforcement agencies.

Security

1. Users shall avoid the known or inadvertent spread or importation of computer viruses through IT Systems. Users will report warning messages regarding virus activity to the City IT Systems support staff.
2. Network and e-mail accounts are to be used only by the authorized owner of the account for authorized purposes. Unauthorized access or attempts to gain unauthorized access to data, systems resources or passwords is prohibited.
3. Users should not leave systems that they are logged into unattended or unlocked. Computers should not be left unattended in a state which affords inappropriate access to records of the City, or otherwise compromises security
4. Employees are discouraged from providing personally identifiable information over the Internet.
5. Employees should not respond to messages that are suggestive, obscene, or threatening. Such messages from a known source should be shown to a supervisor who will forward a copy to the City IT Systems support staff.
6. Passwords should not be shared with anyone outside the organization of the City, and generally should not be shared with other City employees. Limited sharing of passwords may occur within a City department.

Prohibited Uses

1. Use of chat rooms, listservs, or other synchronous communication tools must be approved by the City Manager. Junk mail/chain letters are prohibited.

2. IT Systems will not be used to access/download/use games, video, and/or audio files that are not being used for legitimate work-related purposes.
3. Use of IT Systems to access, view or transmit obscene, sexually explicit or pornographic material, or any material likely to be offensive, is prohibited.
4. Use of IT Systems to facilitate illegal activity is prohibited.
5. Use of IT Systems for commercial or for-profit purposes is prohibited, unless specifically related to a City program, activity or authorized fund raising project.
6. Use of e-mail distribution lists to send e-mail messages inconsistent with this policy is prohibited.
7. Use of IT Systems for political lobbying is prohibited.
8. Threats, hate mail, harassment, slander, defamation, obscene or suggestive messages and images, and materials that are discriminatory with regard to race, sex, religion, ethnicity, disability or age, and other anti-social behaviors are prohibited.
9. Use of IT Systems, or any personal wireless communication/technology devices to invade the privacy of, or cause embarrassment to, another person, is prohibited.

Checkout / Off-site Use

1. This policy applies to usage of IT Systems both at home and at work.
2. In the event of checkout, IT Systems are for employee use only.
3. When IT Systems are checked out, they will be returned on time.
4. IT Systems must be kept secure at all times, and any employee checking out IT Systems is responsible for loss, theft, or damage to IT Systems.

Hardware/Software/Maintenance

1. Copy or deleting of network or operating systems, or application software, is prohibited. Hardware or software shall not be destroyed, modified, or abused in any way.
2. Users shall not intentionally seek information on, obtain copies of, or modify files, other data, or passwords belonging to other users, or misrepresent themselves or other users of IT Systems.
3. Employees are responsible for insuring that backups of critical data files are made under procedures established by the City IT Systems support staff.
4. Software/hardware installed on City IT Systems is standardized and is not to be changed.

5. Software may be loaded onto City computers only if:
 - A. It is licensed by the City, or
 - B. It is licensed to an employee of the City and its use has been approved by a supervisor.

All software installations must be reported to the City IT Systems support staff. Technology support/maintenance must be performed by the City IT Systems support staff in order to maintain the warranty on equipment.

Use of IT Systems will not be permitted until an employee has signed an Acceptable Use Policy for Information Technology Systems form. From time to time the City will make determinations on whether specific uses of IT Systems are consistent with the Acceptable Use Policy for Information Technology Systems. The City reserves the right to log and monitor user activity, with or without prior notice. The City reserves the right to restrict or rescind use of IT Systems. Violations of the Acceptable Use Policy for Information Technology Systems may result in imposition of discipline.

Social Media Policy

Policy:

The City emphasizes excellent customer service, valuing the roles individuals play within the organization as well as creating an external sense of community, and measuring its performance against public expectations. As such, the City has chosen to expand the scope of its communications plan to include social networking and other technologies in order to reach a broader audience. The City encourages the use of social media to enhance customer's capacity to learn and to enhance communication.

It is extremely important that the City take a measured, strategic approach to the implementation of social media to avoid potentially damaging consequences such as the presence of out-of-date information, the failure to provide appropriate information to citizens who have requested it, or the misrepresentation of City policies, services, or values.

The City Manager shall approve what social media outlets may be suitable for use by the City and its departments. All departments requesting a presence on an approved social media site must submit a written request to the City Manager. Once approved, the Department Head will meet with the Communications Specialist to establish the social media account.

Scope and Purpose:

1. All official City appearances on social media sites or services are considered an extension of the City's information networks and are governed by the City of Garden City Employee Handbook.
2. Departments that use social media are responsible for complying with applicable federal, state, and local laws, regulations and policies. This included adherence to established laws and policies regarding copyright, records retention, Freedom of Information Act (FOIA), The Kansas Open Meetings Act, The First Amendment, privacy laws, and information security policies established by the City.
3. Wherever possible, links to more information should direct users back to the City's official website for more information, forms, documents or online services necessary to conduct business with the City.
4. Employees representing the City via social media outlets must conduct themselves at all times as representatives of the City. Employees that fail to conduct themselves in an appropriate manner shall be subject to the disciplinary procedures outlined in the City of Garden City Employee Handbook.
5. The City will monitor content on each department's social media sites to ensure adherence and compliance with the Social Media Policy for use, messages, and branding consistent with the goals of the City.
6. Violations of these standards may result in the removal of department pages from social media outlets.
7. Employees shall have no expectation of privacy when using social media sites.

8. Employees who are authorized to use social media must also fulfill those duties identified in their job descriptions.
9. Only authorized social media sites may be used by City staff.

Definitions:

Social Media

Generally, social media is any site or online process designed to facilitate simple and streamlined communication between users. Social media sites differ from conventional communication media such as online newspapers and magazines in that they tend to be less structured and complex, and more friendly, personal, and intimate in nature, and they tend to offer tools which allow for quick, unfiltered, and often spontaneous communication opportunities.

Social Network

For the purposes of this document, the term “social network” or “social networking” refers to any interaction between a participant and any site deemed by the City to be social media. Interaction is not limited to accessing the website of such social media sites, but also sending to or receiving from such sites any emails, text messages, or any other electronic interaction.

Official

In terms of this policy, ‘official’ refers to any site or process set up by the City of Garden City, its employees, agents, or contractors, which serves to communicate sanctioned City information or engage citizens in discussion about topics, services, or processes under the auspices of the City.

Dress Code

Policy

The City strives to maintain a workplace environment that is well functioning and free from unnecessary distractions and annoyances. As part of that effort, the company requires employees to maintain a neat and clean appearance that is appropriate for the workplace setting and the work being performed. Due to the differences in the job duties of each department, each Department Head may determine and enforce guidelines for workplace appropriate attire and grooming for their specific department. This includes uniform requirements, proper safety equipment, etc.

All employees are expected to present a professional, businesslike image to clients, visitors, customers and the public. Acceptable personal appearance, like proper maintenance of work areas, is an ongoing requirement of employment.

Supervisors must communicate any department specific workplace attire and grooming guidelines to staff members during new-hire orientation. Any questions about the department's guidelines for attire should be discussed with the immediate supervisor.

Any employee who does not meet the attire or grooming standards set by his or her department will be subject to disciplinary action and will be asked to leave the premises to change clothing. Employees will not be compensated for any work time missed because of failure to comply with designated dress code policy.

Specific requirements:

Certain staff members may be required to meet special dress, grooming and hygiene standards, such as wearing uniforms or protective clothing, depending on the nature of their job. Uniforms and protective clothing may be required for certain positions and will be provided to employees by the City.

At the discretion of the Department Head, in special circumstances, such as during unusually hot or cold weather or during special occasions, staff members may be permitted to dress in a more casual fashion than is normally required. On these occasions, staff members are still expected to present a neat appearance and are not permitted to wear ripped, frayed or disheveled clothing. Likewise, tight, revealing or otherwise workplace-inappropriate dress is not permitted.

Guidelines for appropriate attire:

- A. Must be clean and free of rips, tears and fraying
- B. Must not be excessively tight or revealing
- C. No athletic type clothing or exercise wear.
- D. Clothing must provide for employee to complete job duties efficiently and safely.

Lactation Policy

Policy:

It is the policy of the City of Garden City to provide worksite accommodations in line with the U.S. Patient Protection and Affordable Care Act enacted in March 2010, which amends the Fair Labor Standards Act (FLSA) and therefore provides breastfeeding employees the following lactation accommodations:

1. Reasonable Time to Express Milk at Work: Employees shall be provided reasonable time to express milk while at work for up to three years following the child's birth each time the employee has need to express milk. Employees should use usual break and meal periods for expressing milk, when possible. If additional time is needed beyond the provided breaks, employees may use personal leave or may make up the time as negotiated with their supervisors.
2. A Private Area for Milk Expression: Employees will be provided with a private place, other than a bathroom, that is shielded from view and free from intrusion from co-workers and the public, to express breast milk. The room can be a designated space for lactation, vacant office, conference room or other small area.

No employee shall be discriminated against for breastfeeding or expressing milk during the work period and reasonable efforts will be made to assist employees in meeting their infant feeding goals while at work. Any act found to be intentional that invades a nursing mother's privacy shall be treated as a disciplinary offense and reported to the Human Resources Department.

Employees utilizing lactation support services from the City of Garden City will:

1. Give supervisors advance notice of the need for lactation accommodations, preferably prior to their return to work following the birth of the child.
2. Maintain the designated area by cleaning equipment and work surfaces after use.
3. Ensure the safekeeping and labeling of expressed breast milk stored in any refrigerator on the premises.
4. Notifying supervisors of any additional requested accommodations.
5. Reserving designated spaces or quiet rooms when needed. Reservations can be made through the HR Department.

Upon notification of the need for lactation accommodations, employees will be provided with notice of their rights under the worksite lactation accommodation law from the FLSA.

Designated spaces or quiet rooms when not in use for lactation accommodations can be utilized by all City employees during regular break times for stress relief, minor illnesses, etc.