

**City of Boonville
Personnel Manual
March 2017**

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I. INTRODUCTION AND PURPOSE

Welcome to service with the City of Boonville, Missouri. Boonville has long promoted itself as a great place to live, work, and play, and it has a wealth of historic and recreational attractions that bring visitors from all parts of the world. As important as our past as a City has been, the future is even more important and depends upon a talented, professional, and dedicated team of employees that are committed to the hard work necessary to keep Boonville moving forward and reaching for excellence.

The City Council and City Administrator are providing this Personnel Manual as a reference source for all employees, Department Heads, and supervisors in order to promote the uniform and consistent administration of City policies in individual departments.

The City Council, City Administrator, Department Heads and all other management personnel will consult it when making human resources decisions to:

- 1) provide equal employment opportunity for applicants and personnel,
- 2) develop systems for recruiting, assigning, training, advancing and evaluating personnel, and
- 3) communicate basic employment values which encourage outstanding public service to the citizens of Boonville.

The language used in the Personnel Manual is not intended to create, nor is it to be construed to constitute, an employment contract between the City of Boonville and any one or all of its personnel.

The City Council and City Administrator will endeavor to exercise good judgment and sound discretion when this document does not address a particular problem or issue.

The City Council reserves the right to modify, revoke, suspend, cancel or change any or all language found in this document, when unforeseen circumstances occur.

II. HIRING AND RECRUITMENT, GENERALLY

The City Administrator acts as the Hiring Authority on behalf of the City Council for all positions, except Department Heads. When the City recruits for positions at the head of City departments, the City Administrator's role is to screen candidates, conduct interviews, and makes recommendations to the City Council for its ultimate approval/disapproval of an appointment.

The City Administrator may hire individuals, for the purpose of maintaining a full work force, to one of the following categories:

- 1) Full-Time - 40 hours or more per week.
- 2) Part-Time - Less than 40 hours per week.
- 3) Temporary - Full or part time work for a period of less than six (6) months.
- 4) Seasonal - Full or part time work on an interim seasonal basis.

A. Formal Recruitment Process

A Department Head who wishes to fill a vacancy must send a Request For Employment form to the City Administrator. The City Administrator may approve or deny the request. When necessary and appropriate, formal recruitment will involve announcing job openings, taking applications, evaluating and interviewing applicants, and selecting the best person for the job. At the discretion of the City Administrator, the City may alter or forego one or more steps in the formal recruitment process when necessary.

- 1) If the Request for Employment is approved, the Department Head may recruit applicants. This recruitment may include, but is not limited to, posting the job opening at City Hall, on the City's website, in the newspaper(s) and/or on other appropriate media.
- 2) Applicants must complete an application form.
- 3) The Department Head will review all applications which are timely received and will determine which applicants meet the minimum job requirements.
- 4) Any applicants who meet the minimum job requirements may be interviewed and ranked.
- 5) Reference checks will be conducted.
- 6) Other pre-employment checks may be performed, including but not limited to criminal background checks, child abuse and neglect screenings, employment verification or other investigations as may be directed by the Hiring Authority.
- 7) The Department Head will list his/her top three (3) recommendations for hire, plus his/her preference and send them, along with support information to the City Administrator for review and additional evaluation.
- 8) The City Administrator will approve or deny any new hire. The City Administrator may take any employment information to the City Council for its input.
- 9) A formal offer of employment will be made to the person selected to fill the vacancy, however the offer is conditional on the offeree's ability to pass his/her pre-employment physical, if required by state or federal law, and a pre-employment drug test.

B. General Recruitment Considerations:

- 1) Preference will be given to applicants who reside within the corporate limits of the City of Boonville, if the balance of the qualifications are otherwise identical.
- 2) Persons filling Department Head positions must reside within 15 miles of the City of Boonville within six (6) months of hire. The City Administrator and City Clerk shall be residents of the City of Boonville within 30 days of hire.
- 3) At the discretion of the City Administrator, preference will be given to qualified persons who were previously laid off from City service, if previous performance was deemed satisfactory in all relevant aspects at the time of the lay off.
- 4) Preference will be given to qualified persons who already work for the City of Boonville and who have a current satisfactory performance record.
- 5) Persons from the same family may not be hired to work in the same department without the approval of the City Administrator.

III. EQUAL OPPORTUNITY

Equal Employment Opportunity shall be a primary goal of the City's recruitment and personnel management efforts. As such, the City Council and City Administrator will strive to ensure equal opportunity for all applicants and employees when engaging in human resource activities, without regard to race, color, national origin, gender, age, creed or disability.

Such commitment to equal opportunity shall not be interpreted as requiring discrimination in favor of any person and will not call for the lowering of bona fide minimum requirements and standards necessary for efficient and effective performance.

The City Council, City Administrator and management personnel will make reasonable accommodations for qualified persons with disabilities, unless a requested accommodation will place an undue hardship on the City of Boonville.

A complaint of any person regarding the application of equal opportunity principles by the City of Boonville shall be delivered to the City Administrator.

IV. TERMS OF EMPLOYMENT

Being hired to work for the City of Boonville does not constitute a contract of employment. All personnel hired by the City Council and City Administrator shall remain at-will employees of the City.

V. ACTIVE EMPLOYMENT, GENERALLY

A. Orientation

All new hires shall meet with the City Clerk and appropriate Department Head or City Administrator for employee orientation.

The orientation will generally cover/include the following:

- 1) Completion of all employment-related forms (Personal Information Sheet, Payroll Forms, Direct Deposit Information, insurance applications, etc.)
- 2) Discussion of the employee's Probationary Period
- 3) Presentation of the Personnel Manual and acknowledgements of consent/understanding of specific policies contained in the Manual
- 4) Tour of City facilities directly related to duties of the new hire, as time permits
- 5) Pre-employment drug screening

At the conclusion of the orientation, the employee will be asked to sign a form which indicates he/she has been given an opportunity to ask any questions regarding City Personnel policies.

B. Personnel Records

The City of Boonville is required to maintain human resource records on all employees. It is important to keep your information on file in City records up-to-date, because this information is used for administrative purposes and emergency situations. Employees should notify the City Clerk as soon as possible of any changes to the following:

- (1) address
- (2) telephone number(s)
- (3) emergency contact
- (4) marital status
- (5) immigration/naturalization status
- (6) number of dependents
- (7) military status

Except for records and information the City is required to provide by law, including pursuant to a subpoena or court order, personal information about employees will not be released unless signed authorization has been given by the employee. Every effort will be made to ensure that each employee's Protected Health Information is segregated and protected from disclosure in accordance with HIPAA.

The City Clerk shall insure all employment forms are completed and sent to the proper agency or insurance administrator and that copies are retained in a personnel file which will contain, among other documents, the Application for Employment, I-9, Personal Information Sheet, and results of reference checks, drug screens, investigations, background checks, employee discipline and the like. Any employee may review his/her personnel records by contacting the City Clerk and arranging a time to meet, after the City Administrator has authorized the meeting and review.

C. Probationary Period

New employees will start out serving a Probationary Period in City service. The Probationary Period is, in essence, a working test that is an integral part of the employee selection and evaluation process. It will be used for observing work habits and productivity, aptitude for learning the required procedures for the job, attention to detail and safety, commitment to public service, and level of adjustment to the position and work environment. The Probationary Period is also the preferred time for the separation of those newly hired employees whose performance does not meet the expectations of the City Council, City Administrator and/or Department Head.

The normal length of the Probationary Period will be six (6) months, but for police and fire personnel, it will normally be one (1) year. The Probationary Period may be ended at any time by the City Council, City Administrator or Department Head, with or without the recommendation of the person's immediate supervisor.

Any employee dismissed during the Probationary Period shall have no right to request any meeting or review related to the decision to terminate his/her employment, which will simply be made on the basis of failure to satisfactorily complete the Probationary Period. Employees dismissed during the Probationary Period will be paid for all hours worked. No other compensation will be paid.

The Probationary Period may be extended, after written notice to the employee, whenever it is determined that more time is required to evaluate the person's ability to successfully perform the various duties of the position for which the individual was hired.

Former employees returning to City service after some period of separation may be required to serve a new Probationary Period.

Employees who are transferred or promoted to another City job or department must also serve a Probationary Period. Typically, the transfer or promotional Probationary Period will not exceed ninety (90) days but may be extended, shortened or ended at any time by the City Council, City Administrator or Department Head, with or without the recommendation of the employee's immediate supervisor.

D. Transfers and Promotions

Transfers and promotions are a privilege available to employees who have successfully completed their Probationary Periods, if and when other vacancies occur within the City of Boonville.

Employees must meet the requirements of the new position into which they will be transferred or promoted and must have satisfactorily completed the Probationary Period of their current position, unless excused from doing so by the City Administrator. A promotion is a vertical move to a vacant position, which is either at a higher level of function and responsibility or higher rate of pay, or both, while a transfer is a lateral move.

An employee or his/her Department Head may request a transfer or promotion. Before a move between departments may occur, the Department Heads of both departments and the Hiring Authority must approve it.

In no circumstance is a transferred employee guaranteed the option of returning to the original post, however consideration will be given in the event the original post has remained available, and the employee would otherwise be eligible for rehire.

E. Work Schedules, Generally

The City of Boonville has employees on duty 24 hours per day, 365 days per year. The work schedule is based on necessity and may be changed by the City Council, City Administrator and/or Department Head with notice if it is practicable to give it, or without notice when necessity dictates, in order to meet work requirements and attend to exigent circumstances. All employees are expected to be at work regularly and on time. If an employee will be late

or absent, he or she must call the on-duty supervisor immediately. Lunches and breaks are to be scheduled at the discretion of the immediate supervisor, so service will not be impacted and so there is full coverage of each work unit.

1. Police Department

The City of Boonville Police Department is always staffed. The Chief of Police is responsible for assigning work schedules. Work schedules will normally be posted two (2) weeks prior to the actual work activity. The work schedule is based on necessity and may be changed by the City Council, City Administrator and/or the Chief of Police with or without notice, to meet the work requirements.

2. Fire Department

The City of Boonville Fire Department is always staffed. The Fire Chief is responsible for assigning work schedules. Work schedules will normally be posted two (2) weeks prior to the actual work activity. The work schedule is based on necessity and may be changed by the City Council, City Administrator and/or the Fire Chief with or without notice, to meet the work requirements.

3. Public Works Department

The Department Head of each unit within Public Works is responsible for assigning working hours and for determining the hours the department is open for business. The work schedule is based on necessity and may be changed by the City Council, City Administrator and/or the Public Works Director with or without notice, to meet the work requirements.

The City Services building for Public Works is open from 8:00 a.m. to 4:30 p.m. Lunches will be staggered.

4. Waste Water Treatment Plant

The normal work week is Monday through Friday. Work hours are 7:00 A.M. to 3:30 P.M., with ½ hour for lunch. The On-Call person will perform the work requirements on Saturdays and Sundays. Normally this weekend work should take place between the hours of 7:00 A.M. and 3:30 P.M. At the discretion of the City Administrator, regular work weeks/shifts may be altered seasonally or otherwise for efficiency.

5. Water Treatment Plant and Transfer Station

The City's Water Treatment Plant and Transfer Station are operated under general management agreements with outside private companies. Water treatment and transfer station personnel are not City employees and are subject to the policies and procedures of the respective operating entities.

6. Water Distribution - Sewer Collection - Street Department

The normal work week is Monday through Friday. Work hours are 8:00 A.M. to 4:30 P.M., with ½ hour for lunch. The summer work week is Monday through Friday, June 15th through September 1st, during which work hours are 7:00 A.M. to 3:30 P.M., with ½ hour for lunch.

7. Parks & Recreation Department and Aquatic Center

The Department Head is responsible for assigning working hours and for determining the hours the department and facilities are open for business. The work schedule is based on necessity and may be changed by the City Council, City Administrator and/or the Director of Parks & Recreation with or without notice, to meet the work requirements.

8. City Hall

City Hall will be open for business from 8:30 A.M. to 5:00 P.M., Monday through Friday. Lunches will be staggered.

F. Unscheduled or On-Call Work

1. On-Call assignments

- 1) The City Administrator and Department Heads will be solely responsible for determining the need for On-Call employees. All employees are eligible for On-Call status.
- 2) Employees will be paid \$6.00 for each eight- (8) hour period while serving On-Call. On-Call employees must be able to reach their respective work sites within 15 minutes.
- 3) Employees who are On-Call and are notified of the need to report for work on a Call-In basis will be paid On-Call pay, plus pay for actual time worked.
- 4) The time credited for work during a Call-In situation or while serving On-Call will not include travel time to or from home.
- 5) Employees scheduled for On-Call status will be given as much advance notice as practical. Normally three (3) calendar days advance notice will be given so employees may make plans, however, the City Administrator and Department Heads may schedule employees for On-Call status with less than three days' notice.

2. Call-In

- 1) Employees receiving notice to report for duty on a Call-In basis on a day when not previously scheduled and when not On-Call will be compensated a minimum of one (1) hour's pay.
- 2) Employees who have completed a scheduled work day and who are not On-Call but have been called back to work will be compensated for a minimum of one (1) hour of pay.
- 3) Employees called to report for work before they are scheduled to report for a normal shift, and who report early and continue working into the regular shift, will not be considered to be there on a Call-In basis and will be paid only for all time worked.
- 4) Employees are expected to work when notified of a Call-In, unless excused by the immediate supervisor.
- 5) Employees reporting on a Call-In basis may be expected to do whatever work is necessary, even though not part of their regular duties, provided they have the necessary knowledge and skill to perform the work safely and without risk to the equipment or operation.
- 6) The time paid for Call-In work will be credited toward time worked in the pay period for overtime purposes.

G. Overtime

Overtime is defined by reference to the federal Fair Labor Standards Act (FLSA). The purpose of overtime is to aid in the accomplishment of the assigned functions of the City of Boonville. The necessity for overtime work shall be determined by the City Council, City Administrator or Department Head.

An eligible person traveling in connection with work, is to do so during the normal eight- (8) hour work period. Overtime will not be paid for travel to and from seminars, workshops and schools.

Overtime shall be compensated at the rate of one and one half (1½) times the regular hourly rate of pay for the work performed for each hour worked overtime. Department Heads have the discretion to allow Compensatory Time Off in lieu of overtime, which shall be accrued at 1 ½ times the hours of overtime worked. One Hundred Twenty (120) hours is the maximum number of Compensatory Time Off hours which a non-exempt employee may accrue and carry at any time, at the discretion of the Department Head. Overtime pay must be taken if the employee has maxed out his/her accrual of Compensatory Time Off.

Exempt classifications are not eligible for overtime pay. Non-Exempt classifications are eligible for overtime pay. Exemption status shall be determined by reference to the FLSA and associated regulations.

H. Outside Employment

The primary work obligation of all full-time City employees is to the City of Boonville. The City of Boonville does not limit a person's activities during non-working hours unless those activities interfere, or are in conflict, with performance of City work duties or they create a conflict of interest.

Employees seeking or accepting outside employment must notify the appropriate Department Head, in writing, of their intent.

A potential conflict of interest exists when a City worker is a director, president, general manager or similar executive officer of, or owns or controls directly or indirectly a financial interest in, any non-governmental entity participating in contracts, purchases, or any other business transactions with the City of Boonville.

The City Council of Boonville requires all personnel who have a potential conflict of interest, which is related to the carrying out of their official duties, to give seventy-two (72) hours' actual written notice to the City Administrator, of the existence of a known potential conflicting interest.

If in doubt whether a particular activity would cause a possible conflict of interest, please discuss it with the City Administrator or Department Head.

VI. TRANSITION FROM ACTIVE DUTY

A. Resignation

An employee wishing to resign from the City of Boonville is encouraged to give a written notice of resignation to his/her immediate supervisor fourteen (14) calendar days prior to the last day of work. Such notice is helpful but is not mandatory.

B. Return of City-Owned Property

All City of Boonville property shall be returned, and all outstanding accounts shall be taken care of, before final pay is issued. Final payroll will be directly deposited to the person's account of record with the next regular payroll following exit from City employment. At the discretion of the City Administrator, a paper check may be cut and made available at City Hall, concurrent with the next regular payroll, so that City of Boonville property may be returned before the final check is issued.

C. Layoffs

The City Council and/or City Administrator may initiate layoffs. Under normal circumstances, layoffs would be due to a lack of work, lack of funds, or reorganization of City government based on some combination of the two, but other reasons may be considered.

The Hiring Authority and Department Heads may use any reasonable criteria in determining who will be laid off and who will be retained. All employees are subject to layoff. Normally, job performance will be a primary consideration in making such determinations. Other factors may include time in current position and length of service and/or the priority of the job itself to what the City Administrator and Council deem to be the essential functions of City government.

The Hiring Authority and Department Heads may use transfers and demotions in the layoff process. Employees must meet the minimum qualifications of any position into which they are being transferred or demoted.

Employees who are laid off, or who are demoted in lieu of layoff, will generally be eligible for rehire by the City, as vacancies arise, but each must initiate a regular application process for any job in which he/she is interested and for which he/she is qualified.

D. Pay and Benefits on Cessation of Service

Cessation or termination of service is the separation of an employee from the City of Boonville by resignation, retirement, layoff, involuntary dismissal or death.

Upon termination of service, employees will be paid for all unused Vacation and Compensatory time. The payment is calculated at the person's hourly rate of pay on his/her last day of work. This payment cannot exceed the maximum accrual limits listed elsewhere in this Manual. Upon death of an entitled worker, payment is made to the beneficiary(s) of record, or to the estate, for all unused Vacation and Compensatory time accrued, up to the applicable maximum.

VII. WAGES

The City Council and City Administrator shall provide for wages and salaries of all City employees in accordance with an annual appropriation for same at the beginning of each fiscal year, which starts April 1 and runs through the following March 31, and any amendments to that annual appropriation.

A. Jobs and Pay Levels

- 1) Position pay levels will be established based on job descriptions which include duties, responsibilities, education, work experience, physical and work environment requirements.
- 2) The City Administrator and Department Heads shall have broad discretion to affix job titles and corresponding wage/salary levels, which may be adjusted from time to time at the direction and with the approval of the City Council.
- 3) In addition to regular wages, wastewater treatment employees will be paid an award for receiving DNR licenses according to the following schedule:
 - a. "A" License or equivalent - \$55.00 per month
 - b. "B" License or equivalent - \$27.50 per month
 - c. "C" License or equivalent - \$11.00 per month
 - d. "D" License or equivalent - \$ 5.50 per month
- 4) New or transferred employees will normally start at a wage/salary level set at the discretion of the Hiring Authority and shall advance through salary adjustments made at the beginning of each fiscal year thereafter, in accordance with the yearly appropriations process authorized by the City Council.
- 5) A Department Head may request an advanced starting salary or yearly increase when a particular employee's education and work experience clearly demonstrate a case for it. The request must be made in writing and given to the Hiring Authority who shall have the sole discretion for approval/rejection of the request.

B. Payroll

Payroll disbursement occurs via automatic, direct deposit every two weeks on Friday, following the end of the pay period.

Employees must complete time sheets covering all time worked for each pay period. Each time card will serve as a log for documenting each hour actually worked and any time off taken during the pay period. The time sheet entries

should be completed each day. Time sheets are to be given to the City Clerk no later than Monday at 5:00 P.M. following the end of the pay period.

Employees will receive statements showing gross and net pay earned for each period and the amount withheld for each deduction. The City of Boonville is required by law to withhold state income tax, federal income tax and social security, but will also withhold for other deductions which are requested by the individual or ordered by a court of competent jurisdiction. Voluntary deductions may include, but are not necessarily be limited to, health or other optional insurance premiums or deferred compensation deposits.

VIII. ATTENDANCE AND LEAVE

A. Paid Vacation

The City of Boonville adheres to the following Vacation accrual guidelines. Vacation days are for the employee's benefit and are expected to be taken. They may not be taken in increments of less than a ½ day. The City of Boonville will not provide salary in lieu of unused Vacation days, except in the case of a separation from employment.

Accrual Rates:

5 days per year, during the first year of service
10 days per year, during the second through the sixth year
15 days per year, during the seventh through the eleventh year
20 days per year, during the twelfth through the nineteenth year
25 days per year, after the twentieth anniversary date

Part-Time, Temporary and Seasonal employees are not eligible for paid vacation. Full-time employees who do not use any Sick Leave throughout the year receive an extra Vacation day.

Vacation days may not be taken until they have been accrued, which is deemed to occur on the first anniversary date of the current period of employment and every six (6) months thereafter on a pro rata basis. An exception may be made with the written permission of the City Administrator, provided the Vacation hours have been earned (though not yet accrued), consistent with the above rates. Maximum Vacation leave accruals will be enforced upon each employee's anniversary of current employment with the City of Boonville. Maximum Vacation leave accruals shall be two (2) times the maximum annual accrual for the year immediately preceding each anniversary date. Any Vacation time which exceeds the maximum accrual on the employee's anniversary date will be removed from the payroll record and will no longer be available to the employee for any purpose whatsoever.

Vacation leave must be requested on a Leave Request Form filled out and submitted to the requestor's supervisor or Department Head. Employees are directed to make requests for Vacation leave no fewer than seven (7) days prior to the requested leave period, unless exigent circumstances make such an advance request impossible. Supervisors, Department Heads and the City Administrator must approve paid Vacation leave. Full coverage of departmental duties and business necessities (such as special assignments or public office hours) may be taken into consideration when approving Vacation leave.

Holidays that occur during, preceding or succeeding Vacation leave will not be counted as a day of Vacation leave.

Changes in Vacation leave accrual shall become effective with each employee's anniversary date.

B. City Holidays

The City of Boonville observes the following holidays:

New Years Day - January 1
Martin Luther King, Jr.'s Birthday - Third Monday in January
Presidents' Day - Third Monday in February
Memorial Day - Last Monday in May
Independence Day - July 4
Labor Day - First Monday in September
Thanksgiving Day - Fourth Thursday in November
Day After Thanksgiving
Christmas Day - December 25
Worker's Birthday - Within 1 Week of Actual Birthday

Full-time employees who work on an official holiday shall be given an alternative day off or shall be paid for the time worked at a rate of 2 ½ times the person's hourly rate. The alternative day off must be taken within thirty (30) days of the holiday, and it must be approved by the Department Head. The Department Head will give an alternative day off when the holiday falls on a regular day off.

Part-time, Temporary and Seasonal personnel may observe the holiday if they are not scheduled to work. Such observance is without pay. If required to work on an official holiday, they will receive their regular rate of pay.

When any of these dates fall on a Saturday or Sunday, the holiday will be observed on a date set by the City Administrator and/or Department Head.

C. Sick Leave

Paid Sick Leave is available to full-time employees for absences due to medical reasons. In addition, it provides paid leave for employees to schedule and receive medical, dental or optical treatments or examinations. One discretionary day off may be taken each year from accumulated Sick Leave, which discretionary day will not count against total Sick Leave used in a calendar year. The discretionary day is for the purpose of granting an extra Vacation day as an award for good attendance. Part-time, Temporary and Seasonal employees are not eligible for paid Sick Leave but may be absent due to medical needs.

Sick Leave is intended to be held in reserve for when it is needed for paid leave to recover from illness or injury. An employee may accumulate Sick Leave days but never own them. One Hundred Fifty (150) days may be accumulated. Full-time employees accrue twelve (12) days of paid Sick Leave per year. In general, employees are encouraged and expected to accumulate and maintain a Sick Leave balance and are discouraged from using Sick Leave hours for other than their intended purpose.

D. Reporting Unscheduled Absence (All Employees):

An employee must notify his/her supervisor (or the on-duty supervisor, in his/her absence) prior to the start of a scheduled work shift when an absence from work is required due to an unforeseen illness, accident or other circumstance. An employee must notify his/her supervisor at least one (1) day before an absence when the absence is for a pre-arranged treatment or appointment.

For absences due to illness or injury which require more than one (1) day of leave from the workplace, the employee must keep his/her supervisor reasonably informed of the associated medical condition and progress each day so that coverage of regular duties may be arranged through scheduling other employees, if necessary. Employees out on Sick Leave must complete a leave request form promptly upon returning to work. Department Heads may request a doctor/dentist's excuse before approving Sick Leave pay, at their discretion.

E. Illness in the Family and FMLA Leave

Sick Leave may be used when the employee is absent because of an illness, the birth/adoption/foster care of a child, or due to an accident in the immediate family that requires the employee's personal attention. "Immediate family" refers to spouse, children and parents, by consanguinity or affinity.

Under the Family Medical Leave Act (FMLA), an employee with more than twelve (12) months of full-time service to the City may be eligible for up to twelve (12) weeks of job-protected, unpaid leave in order to care for a seriously ill spouse, child, parent or self. Such unpaid FMLA Leave, granted upon proper documentation of a qualifying medical condition, will be allowed after all paid Sick Leave and Vacation days have been exhausted. The total amount of time away from the job may not exceed twelve (12) weeks. The City Administrator may extend Sick Leave at his/her discretion.

F. Military Leave

Full time employees who are members of the National Guard or other reserve components of the armed forces of the United States, are entitled to a leave-of-absence on those days for which they are ordered to military duty or training. Military leave shall not exceed one hundred twenty (120) hours in any calendar year. This limitation shall not apply to members of the National Guard engaged in the performance of duty or training in the service of the State of Missouri at the call of the Governor, and as ordered by the Adjutant General. Military leave will not be charged against the person's Vacation leave.

A copy of the official orders directing the military duty or training and a Leave Request Form must be presented to the person's immediate supervisor for approval.

G. Jury Duty

Employees are allowed to be absent from work, with pay, to serve as a member of a jury. Verification of the jury duty, along with a Leave Request Form, must be presented to the immediate supervisor.

H. Other Excused Leave

The City Administrator and/or Department Head may grant any employee additional time off from duty when, in their discretion, such leave is justified for reasons including the following:

- 1) Attendance at professional conferences, institutes or meetings when such attendance, in the opinion of the City Administrator and Department Head, will contribute to the betterment of City government.
- 2) Bereavement leave for the death in the immediate family. For purposes of bereavement leave, "immediate family" means spouse, children, parents, grandchildren, parents-in-law, brothers, sisters, brothers or sisters-in-law, sons- or daughters-in-law and any grandparent. Normally, such leave shall not exceed three (3) work days.
- 3) The death of a friend or relative not considered immediate family may justify excused leave. The time off will be up to four (4) hours.

Time off may or may not be with compensation at the discretion of the City Administrator and Department Head. Except in the case of an emergency, it shall be requested on the Leave Request Form prior to the cited need.

IX. WORKERS' COMPENSATION REQUIREMENTS

A. Work Comp, Generally

By law, all City employees are covered by Workers' Compensation insurance, which provides medical and disability benefits if an employee is injured on the job. Whether or not medical attention is necessary, the City of Boonville is

required by law to report any on-the-job injury to the Workers' Compensation insurance carrier within five (5) days of its occurrence. If any injury is not reported during the required time period, the employee may lose his/her right to Workers' Compensation benefits and/or may not get the most appropriate medical care. Even seemingly minor injuries may later require medical care, so it is important for all workplace injuries to be reported as soon as possible.

B. If you sustain or witness an on-the-job injury, you must:

- 1) See that 9-1-1 is called if the injury is life-threatening.
- 2) Report the injury to your on-duty supervisor immediately.
- 3) Work with the on-duty supervisor to obtain the appropriate level of medical care for the injured party. Whenever possible and appropriate, in light of the nature of the injury and/or the incident giving rise to it, the City Administrator or his/her designee should be consulted for direction to a City-recommended medical service provider.
- 4) File an incident report by the end of the shift during which the injury occurs, if it is physically possible to do so.
- 5) Follow up as soon as possible to see that an incident report, detailing the circumstances of your injury (or that of a co-worker that you witnessed), is on file with the City and that you have personally reviewed and signed it. Be sure that your physician's report(s) are submitted to the Department Head.

C. Check-In Requirement, Return to Work, and Limited/Transitional Duty

Any employee being treated under Workers' Compensation, and who cannot work, must discuss the progress of his/her medical treatment with his/her supervisor each week and must notify the supervisor within 24 hours of any changes in his/her condition, prognosis or treatment plan. The City Administrator, Department Head or supervisor may request a written progress report from the individual's Workers' Compensation treating physician at any time during the treatment process. The employee shall execute a HIPAA-compliant release to allow the supervisor or Department Head to discuss what options for medically-appropriate transitional duty assignments exist so the employee can begin a smooth transition back to work. If an individual will be placed on transitional duty, the employee and supervisor shall see that written approval by the individual's physician is on file with the Department Head.

Transitional duty assignments are dependent upon the physical limitations and capabilities of the employee and the City's availability and need for work that is suitable for the patient's limitations. Transitional work may be full- or part-time and may be in another department of the City than the one to which the employee is permanently assigned. Failure of the employee to report for medically-appropriate transitional work, when offered, may result in reduction or termination of wage replacement benefits and/or could jeopardize reinstatement.

D. Other Mandated Accident/Incident Reports

Regardless of whether or not any injury is sustained, any employee who is involved in a motor vehicle accident during a work shift and/or in a City vehicle must report it immediately to his/her supervisor so that an Accident/Incident Report can be filed.

E. Workplace Safety

Injuries and illnesses in City workplaces have the potential to impose a substantial burden upon the entire community by exposing the City to loss, increasing medical and insurance costs, and increasing general risks to safety and public health.

Employees of the City of Boonville deserve a workplace free from recognized health and safety hazards. It is appropriate for the City of Boonville to provide for health insurance and paid Sick Leave for full time employees and to endeavor to provide every City worker with reasonably safe conditions for work. Employees are encouraged to follow their physician's recommendations for preventing the spread of disease and illness, and for improving their

personal health outcomes, by judiciously making use of paid Sick Leave to help prevent transmission of colds and flu to others in the workplace.

Employees are expected to report safety and health hazards to their Department Heads. Department Heads should promptly investigate and correct safety deficiencies. When corrections cannot be made by the Department Head, he/she shall report such matters to the City Administrator in a written report and recommend appropriate corrective action. These reports may be brought to the attention of the City Council.

No retaliation may be taken against an employee who makes a complaint or otherwise registers a concern over a workplace safety issue.

X. ALCOHOL & SUBSTANCE ABUSE POLICY: DRUG- AND ALCOHOL-FREE WORKPLACE

A. Administration of the Policy

The City of Boonville is a drug- and alcohol-free workplace. The illegal use of prescription drugs or controlled substances at any time and/or being under the influence of such substance(s) and/or alcohol during work hours is considered misconduct and is not consistent with the behavior the City has a right to expect of its employees. It is the policy of the City of Boonville to safely provide dependable and economical services to its citizens and safe working conditions for its employees. This policy applies to all employees of the City of Boonville.

The use, possession, distribution or sale of controlled substances, illegal drugs, or alcohol; being under the influence of any of these; or testing positive for any of these (including their inactive components or metabolites) while working for the City is strictly prohibited while on duty, while on City premises or worksites, and while operating vehicles, machinery or equipment owned or leased by the City.

1. Policy Administrator

The City Administrator shall be designated as the Alcohol and Substance Abuse Policy Administrator for the City of Boonville. Any inquiries concerning this policy, its application, its administration or its interpretation shall be made to the policy administrator or his/her designee.

2. Alcohol & Controlled Substance Prohibitions

Every employee is prohibited from the operation of a commercial motor vehicle and/or from reporting to work or otherwise engaging in any duty-related functions: (1) while consuming alcohol; (2) while having a blood alcohol concentration of 0.02 or greater; (3) within four (4) hours of consuming alcohol; (4) after refusing to submit to an alcohol test; and (5) within eight (8) hours after an accident as specified in this policy.

Every employee is prohibited from the unauthorized use of a controlled substance at any time, whether on or off duty, and is prohibited from the unauthorized possession of alcohol while on duty and unauthorized possession of controlled substances at any time, whether on or off duty.

3. Mandatory Self-Reporting

Any employee who pleads guilty to or is convicted of any crime related to controlled substances or alcohol, including a traffic offense, must report the conviction or guilty plea to the policy administrator within 24 hours of such event. Failure of an employee to report such a conviction or guilty plea to the policy administrator may be cause for immediate dismissal from service.

Any employee whose job performance requires the possession of a valid CDL and who loses the CDL for a violation, or as a consequence, of the law shall be subject to disciplinary action up to and including dismissal from City service. The employee shall notify the policy administrator and the employee's immediate supervisor of the loss

of the CDL within 24 hours. Failure to notify the policy administrator of the loss of the CDL shall result in immediate dismissal from service.

4. Education and Training

The City of Boonville shall develop and provide training for all supervisors and managers who are responsible for the administration and enforcement of this policy. The substance abuse training, at a minimum, shall include at least sixty (60) minutes of program on the physical and behavioral effects on personal health, safety and the environment and on performance indicators. The training should address the effects of alcohol use and abuse, the side effects of abuse and the consequences of prohibited work-related activity involving alcohol consumption. The training shall include an overview of this policy and its implementation/application to employees. Training shall also include a component related to objective observation for reasonable suspicion testing, documentation and record keeping.

5. Confidentiality

All records developed and/or acquired pursuant to this policy shall be maintained under strict confidentiality by the City of Boonville and the testing laboratory. The records shall be maintained separately from other personnel records kept by the City of Boonville and shall be kept in a secured location with other medical records.

Any person who breaches the confidentiality provisions of this policy shall be subject to immediate dismissal from employment and/or from any contractual relationship with the City of Boonville without recourse.

B. Mandatory Controlled Substance and Alcohol Testing of Employees

Employees shall be subject to controlled substance and alcohol testing as follows: pre-employment testing for all prospective or new hires, random testing (except as provided herein), reasonable suspicion testing, post-accident testing, return-to-work testing and follow-up testing after rehabilitation programs.

1. Pre-Employment Testing

Pre-employment urine or oral fluid lab testing shall be required of all applicants receiving an offer of employment with the City for all positions. Future employment status changes such as promotions, transfers or part- to full-time transitions shall be considered new employment as if an offer was made for original entry into City service for purposes of this policy. Receipt of satisfactory test results is required prior to commencement of work or at the earliest possible occasion it may be scheduled in the first few days of employment. Any positive controlled substance or alcohol test shall disqualify an applicant from employment for a period of no fewer than 180 days. Evidence that (1) the applicant has successfully completed a formal program of treatment for substance abuse/chemical dependency or that the applicant has submitted to an assessment by a qualified Substance Abuse Professional (SAP) and been deemed to be without the need for substance abuse/chemical dependency treatment, and (2) at least one negative controlled substance and alcohol test shall be required before any further offer of employment is extended by the City.

2. Reasonable Suspicion Testing

Reasonable suspicion testing shall be used to determine fitness for duty by use of urine, oral fluid lab and/or breath testing when there are objective, observable reasons to believe that the use and abuse of any controlled substance or alcohol is adversely affecting an employee's job performance or that the employee has violated this policy. Reasonable suspicion referral for testing shall be made on the basis of documented, objective facts and circumstances which are consistent with the effects of substance use. Reasonable suspicion observations and reports can only be made by supervisory or management employees and must be based on contemporaneous, articulable observations concerning the subject employee's appearance, grooming, gait, speech, behavior, and breath and body odors. The observing supervisor or manager, whether or not the person is the employee's immediate supervisor, must complete an observation report before the employee is directed to report for reasonable suspicion testing, which shall include both oral fluid or urine drug test and a breath alcohol test.

Reasonable suspicion testing shall be required and completed whenever possible, within two (2) hours of the observation, but in any case, no later than eight (8) hours after the observation for breath alcohol testing and thirty-two hours (32) hours for controlled substance testing. If possible, reasonable suspicion testing shall be conducted at the employee's regular work site. If the employee tests positive for the consumption of any controlled substance or alcohol or if that employee is suspected of being presently impaired, he or she shall be driven to and from the test site and/or to the employee's usual place of abode concurrent with the reasonable suspicion testing so that he or she is prevented from driving under the influence, if possible.

3. Post-Accident Testing

Post-accident testing shall be required of any employee after an on-duty motor vehicle accident in which a fatality has occurred; where a traffic citation is issued to him or her as a result of the accident; where injury to a person requires transport to a medical treatment facility; or where there has been disabling damage to one or more vehicles which requires towing from the accident site. Testing shall include both breath alcohol and urine or oral fluid lab testing of the employee(s).

Whenever possible, post-accident testing shall be completed within two (2) hours of the accident. Barring exigent circumstances, post-accident breath alcohol testing must be done less than eight (8) hours after the accident, and testing for other controlled substances shall be done in under thirty-two (32) hours from the time of the accident. An employee involved in an accident shall refrain from alcohol consumption for at least eight (8) hours following the accident.

4. Random Testing

Random testing shall be conducted on all persons covered by this policy. Random testing shall be unannounced and conducted with unpredictable frequency throughout the year using an established scientifically-based selection method. Testing shall be conducted whenever ordered by appropriate supervisory employees, but no less frequently than required by federal law and regulations, and in such numbers as minimally determined under the regulations.

5. Return-to-Work Testing

Return-to-work urine, oral fluid lab and alcohol testing for all employees covered by this policy shall be required for all employees returning to work or offered re-employment by the City after failing a controlled substance or alcohol test previously administered under this policy. Evidence that (1) the applicant/employee has successfully completed a formal program of treatment for substance abuse/chemical dependency or that the applicant/employee has submitted to an assessment by a qualified Substance Abuse Professional (SAP) and been deemed to be without the need for substance abuse/chemical dependency treatment, and (2) at least one negative controlled substance and alcohol test shall be required before any further offer or resumption of employment is allowed by the City.

6. Follow-up Testing

Employees or new hires having ever failed a controlled substance or alcohol test administered under this policy shall be subject to frequent, unannounced, random urine and/or oral fluid lab and breath alcohol testing at the discretion of the policy director for a period of time up to sixty (60) months from the employee's return-to-work date.

7. Failure to Test

Any employee or post-offer applicant who fails or refuses to submit to the required testing under this policy, or delays compliance with a directive to report for testing, is considered to have tested positive and shall be subject to all of the consequences that flow from testing positive.

C. Independent Rehabilitation Efforts

Any employee who tests positive for the use and consumption of alcohol or other controlled substances or who is prosecuted and is found to be (or pleads) guilty to an alcohol or drug offense is strongly encouraged to seek out and comply with any professional recommendations for treatment and rehabilitation for substance abuse. Employees dismissed for violation of this policy must submit to evaluation and recommended treatment in order to be considered for re-hire. Employees subject to lesser disciplinary action will only be retained on the condition of evaluation and treatment.

Evaluation and treatment by a substance abuse professional shall be at the sole expense of the employee, less any portion of such services underwritten by the employee's health insurance.

D. Testing Protocols

1. Contract for Testing Services

The City of Boonville shall secure a contract with an appropriately certified testing laboratory to conduct the controlled substance testing analysis, breath alcohol testing and reporting required under this policy and under federal law in conformity with the standards established under the federal regulations.

Any testing service with which the City contracts shall use a laboratory certified by the Substance Abuse and Mental Health Services Administration (SAMSHA) and shall perform all testing herein described under the supervision of a qualified Medical Review Officer (MRO) charged with evaluating the reporting results under the guidelines set forth in 49 CFR, Part 40. All drug and alcohol test samples will be collected in a manner, and by individuals, meeting federal testing requirements as set forth in 49 CFR, Part 40.

2. Testing Controls

Alcohol: Federal regulations require breath testing to be done on Evidential Breath Testing devices approved by the National Highway Safety Administration. An initial screening test is conducted first. Any result that is less than 0.02 blood alcohol concentration is considered negative. If the blood alcohol concentration is 0.02 or greater, a second confirmatory test must be conducted. Any employee who tests with a blood alcohol concentration of 0.02 or greater shall be removed from service for at least twenty-four (24) hours.

Any employee who is found to have engaged in prohibited alcohol conduct under this policy shall be immediately removed from work-related activity. Such an employee will be subject to immediate termination or other serious disciplinary action. Unless terminated, the employee shall not be permitted to resume work until the employee is (1) evaluated by a SAP, (2) has complied with any recommendations of the SAP for rehabilitation and (3) has tested negative in a follow-up test.

Controlled Substances: Controlled-substance testing will be for the following substances:

- (1) Marijuana (THC metabolite)
- (2) Cocaine
- (3) Amphetamines
- (4) Opiates (including heroin)
- (5) Phencyclidine (PCP)

Testing may also include barbiturates, benzodiazepines, methaqualone, methadone and propoxyphene, and any other drug the City may designate in the future.

3. Disciplinary Action

Violators of the drug-free and alcohol-free workplace policies of the City of Boonville will be subject to disciplinary action, up to and including involuntary dismissal. Participation of an employee in a program of rehabilitation for abuse of substances does not serve as a bar to imposing disciplinary action related to violations of this policy.

Any supervisor or manager who knowingly permits an employee to violate this policy or to engage in work activity while consuming alcohol or a controlled substance or who fails to enforce this policy shall be subject to immediate dismissal from employment.

This policy does not displace any other penalties that may be imposed or be incurred as a result of violation of the City of Boonville's policy, state and federal laws, or as provided in the Workers' Compensation laws.

4. Coordination with Other Laws & Policies

This policy shall be administered in compliance with other federal, state and local laws related to employee health and welfare policies, leave policies, benefit programs and other related policies of the City of Boonville. In the case of apparent conflicts between this policy, other policies and applicable laws, the policy administrator shall make the appropriate rulings to resolve the potential conflicts.

In the event that any part of this policy is judicially determined to be in conflict with any law or to be in violation of any law or is rendered ineffective because of some state or federal legislative enactment, that part(s) shall be void, but the remainder of the policy shall remain in effect. Parts that are void or voided shall be replaced as soon as possible to maintain the full effect of this policy and/or to bring it into compliance with relevant laws.

5. Amendments

This policy is subject to amendment by the City of Boonville from time to time. Amendments that are made shall be provided to employees upon adoption and shall become effective as provided by the policy administrator.

XI. PERFORMANCE MANAGEMENT & COMMUNICATION EXPECTATIONS

Performance management is an important part of the day-to-day operations of the City of Boonville. The City Council, City Administrator, Department Heads and/or immediate supervisors may observe employee performance and provide feedback at any time. The use or adherence to the following guidelines shall not prevent the City Council, City Administrator or Department Heads from taking any action they consider necessary to carry out the effective operations of the City of Boonville.

When performance is considered outstanding or exemplary, supervisors should make a note of the performance, and if appropriate, send a brief note to the employee and his/her personnel file commending the performance and noting specifics such as when, for whom, where, and under what circumstances there has been outstanding performance and describing the community benefits thereof. At the City Administrator's discretion, an employee who has shown outstanding performance may be awarded with paid time off.

When Performance is considered satisfactory, supervisors should verbally acknowledge the performance and make a note of the performance so that employees are assured they are meeting expectations.

When Performance is considered less than satisfactory or where it requires substantial improvement, supervisors and/or Department Heads should speak with the employee, write down the details for future reference, explain the specific nature of the problem, listen to the staff member's explanation and review the performance expectations and areas requiring improvement. Whenever possible, memoranda describing these meetings and expectations for improvement shall be kept by the supervisor and Department Head, and a copy should be sent to the City Clerk for placement in the personnel file.

Other remedies to address performance problems include, but are not limited to, suspension, demotion or dismissal of the person.

XII. BEHAVIORAL EXPECTATIONS OF EMPLOYEES

Attendance

Employees are expected to be available and on time whenever scheduled to work. Unexcused absence and tardiness are unacceptable and may be grounds for disciplinary action and/or the reduction in management's assessment of overall performance of an employee. Frequent unexplained or unexpected absences that are not reported to a supervisor and/or verified with a physician's excuse when lasting over three (3) consecutive work days may indicate an abuse of Sick Leave policy. At the discretion of the City Administrator, abuse of Sick Leave policy may be grounds for disciplinary action, including dismissal from City service.

Attitude

All citizens, visitors to the City of Boonville and other City employees are to be treated politely, professionally and pleasantly. Threatening, violent or rude behavior is unacceptable.

Bulletin Boards

City bulletin boards are for City of Boonville business only. No other information may be posted on the bulletin boards or any other City facility wall or window surface, without the approval of the City Administrator or Department Head.

City Property

All City-owned facilities, furniture, cabinets, furnishings, equipment, tools, computers, e-mail, software and vehicles are the sole property of City of Boonville and are to be used specifically for the purpose of achieving the goals of the City.

The City Council, City Administrator, Department Heads and supervisors or their designee(s) may enter all City facilities and vehicles and open or search all furniture, cabinets, furnishings, equipment, tools, computers, e-mail, software and electronic devices at any time, for the purpose of conducting business, complying with the law, or cooperating with any local, state or federal law enforcement agency-involved investigation of any kind. City employees shall have no reasonable expectation of privacy in or about personal property that is owned by the City of Boonville.

City Vehicles

The appropriate class driver's license is required to operate a City of Boonville vehicle. Employees are expected to operate such vehicles in a safe and courteous manner and to abide by all state driving laws and regulations.

Conduct Outside of Work

Behavior or activity outside of work that makes it impossible for a person to carry out the full responsibilities of his/her position with the City is unacceptable.

Departmental Dress Codes:

Administration

What we wear is a reflection of the pride we have in the City of Boonville. It is important to present a professional and businesslike appearance. With that in mind, here are some guidelines:

- 1) Employees should wear suitable professional attire for an office environment.
- 2) Provocative clothing is not appropriate. Denim blue jeans may be worn only with the express permission of the Department Head.
- 3) Clothing must not constitute a safety hazard.
- 4) Strong perfume, cologne or after shave should not be used.

Police Department

Uniforms shall be provided for full time Police Department non-exempt staff and shall be worn in accordance with Police Department procedures and guidelines.

Fire Department

Uniforms shall be provided for full time Fire Department staff and shall be worn in accordance with Fire Department procedures and guidelines.

Public Works Department

Uniforms shall be provided for full time Public Works Department non-office staff and shall include shirts, pants or denim jeans and will bear the City of Boonville logo and department.

Parks & Recreation Department

Uniforms shall be provided for full time Park Department non-office staff and shall include shirts, pants or denim jeans and will bear the City of Boonville logo and department.

Aquatic Center Employees

Employees must wear the suits/trunks and/or t-shirts furnished by the Parks & Recreation Department. Other apparel worn while on duty must not present a safety hazard or make it difficult to carry out the responsibilities of the job. When selecting work apparel, modesty and good taste must prevail.

Athletic Field Employees/Park & Mowing Employees

Dress code set forth in department policy.

Housekeeping in Work Areas

The area in which you are working shall be maintained in a clean and orderly manner. All equipment, tools and materials will be neatly stored.

Insubordination

Insubordination is the refusal of an employee to follow a directive given by a supervisor, Department Head or City Administrator. Legal orders, those not in conflict with federal, state or local law, given by the City Administrator, Department Head and/or immediate supervisor are expected to be followed to the best of the employee's ability. Failure or refusal to follow any lawful request of a supervisor will be documented and may constitute a basis for disciplinary action.

Job Abandonment

When employees are absent from duty for three (3) days without notification of the appropriate supervisor or Department Head and/or authorization, it will be considered employee abandonment of his/her position without notice, which shall be considered misconduct and may be grounds for immediate dismissal or lesser disciplinary action.

Media Inquiries/Public Comment Regarding City of Boonville Business

All requests for comment or for interviews concerning City of Boonville business by the press/radio/television or members of the public must be directed to the City Administrator or the Mayor. Police matters may be directed to the Chief of Police or his/her designee and Fire Department matters may be directed to the Fire Chief or his/her designee. Employees are not authorized to speak in any official capacity about City business, and unofficial, anonymous or "off the record" remarks or dissemination of information gathered in the course of working for the City are prohibited.

Motor Vehicle Operation

Employees must comply with all Department of Transportation, State of Missouri and City of Boonville traffic and vehicle operation rules and regulations.

Political Activity

Employees may not participate in any political activities as representatives of the City of Boonville. Employees may not participate in the campaigns of candidates running for City office but may assist in voter education initiatives that are supported or sponsored by the City for City issues which are included on the ballot. They may express their opinions while not on duty, provided they are clear that the opinions expressed are their own. Employees may not wear political pins, buttons or any other campaign clothing or accessories during work hours.

Safety

The City of Boonville expects employees to work in a safe manner. This includes the use of good judgment and common sense in matters of safety. All pertinent federal and state laws and regulations must be strictly followed.

Safety Equipment

The City of Boonville has purchased safety equipment for use by employees in doing their jobs. There will be no exceptions to mandatory use of such safety equipment in the performance of the duties for which each piece of equipment is designed. The City of Boonville has equipped several of its work sites with Automatic External Defibrillators (AEDs). It is the sole responsibility of each employee to know the location of these devices nearest his/her work space.

Security/Loss Prevention

Work areas and equipment are to be maintained in a manner which will prevent loss or damage of equipment, cars and trucks. Employees who violate safe work habits will be financially responsible for such losses.

Smoking

Smoking is prohibited in all City buildings and on private property at which work is being provided by City employees. Although employees may smoke in City vehicles, the City Council wishes to encourage employees not to smoke in a City vehicle when one of the persons in the vehicle is a non-smoker.

Solicitations and Distributions

Time, for which employees are being paid, is specifically for work. No other non-work activities are authorized including soliciting from other workers or distributing information to other workers.

Stealing or Falsifying of Records

Stealing of any City of Boonville data, property or information is prohibited. In addition, falsifying reports or records prepared by employees is prohibited. Violations may result in disciplinary action, up to and including involuntary dismissal.

Suggestions

Suggestions or constructive communication of concerns to supervisors or Department Heads are always welcome.

Telephone Use

Telephones are vital to conducting City business. Here are some guidelines:

- 1) Personal use of the telephones should be minimized and be brief.
- 2) Telephones are to be answered as quickly as possible. (Three rings is a desired target.)
- 3) Please answer the phones with a greeting, then identify your organization, give your name and ask how you might help the person.
- 4) You are to be polite to all callers, even the rudest persons. However, you are not required to listen to profanity and take personal abuse. Report such matters to your supervisor.
- 5) You may not make personal long distance phone calls from the City's telephones, unless using personal credit cards.

Workplace Violence

The City Council believes that it is a worker's right to expect the City of Boonville will take necessary steps to provide a violence-free environment and an opportunity to address issues concerning violence.

The City Council will not tolerate violent behavior or the threat of violent behavior directed by anyone toward City employees, the public, City property or facilities. Such behavior committed by a City worker may result in corrective and/or disciplinary action and/or criminal charges.

Possession of a firearm or weapon of any kind is prohibited at work, including in a City vehicle, except when such possession is a necessary requirement of a worker's job or is approved by the Hiring Authority.

Violent behavior is defined as any act or threat of physical, verbal or psychological aggression or the destruction or abuse of property by an individual. Threats may include veiled, conditional or direct threats in verbal or written form, resulting in intimidation, harassment, harm or endangerment of the safety of another person or of property.

This guideline is not intended to preclude the use or threat of reasonable force, where appropriate, in the course of a City worker's assigned duties.

All threats to employee safety from any source, including domestic violence occurring in the workplace, will be taken seriously and addressed appropriately.

Employees who believe they have been subjected to behavior prohibited herein or who have observed any such behavior, should report the incident to his/her Department Head. The Department Head will report the incident to the City Administrator immediately.

Any employee witnessing an act of violence by or against another employee or perceiving an imminent threat of same shall immediately notify the Police Department by dialing 9-1-1.

XIII. HARASSMENT STRICTLY PROHIBITED

A. Statement of Policy

The City Council and City Administrator recognize employees have a right to a workplace that is free of harassment.

It is the policy of the City of Boonville, City Council and City Administrator that there shall be no (zero) tolerance for workplace harassment of any kind, by or against any City employee, resident, visitor, guest or other person having or conducting any business with the City of Boonville. Harassment in general, and sexual harassment in particular, is demeaning to the parties directly involved and to the City and its administration as a whole. The City will not tolerate sexual harassment of any of its employees and will take immediate, positive steps to stop it when it occurs, including referring any perpetrator for criminal prosecution.

B. Sexual Harassment Defined

Sexual harassment is behavior with sexual content or overtones that is unwelcome and personally offensive. It can consist of sexually oriented "kidding" or jokes; physical contact such as patting, pinching or purposely rubbing up against another person's body; demands or requests for sexual favors tied to promises of better treatment or threats concerning employment; discriminating against an employee for refusing to "give in" to demands or requests for sexual favors; or rewarding or granting favors to one who submits to demands or requests for sexual favors.

The definition of sexual harassment includes conduct directed by men toward women, conduct directed by men toward men, conduct directed by women toward men and conduct directed by women toward women.

While sexual harassment in the workplace is specifically prohibited, other types of workplace conduct that has the intent or effect of harassing another is also not tolerated. It may include, but is not necessarily limited to, verbal or physical conduct relating to an individual's race, creed, nationality, disability, age, religion, ancestry, national origin, gender identity or orientation.

C. Coverage and Distribution of Policy

This sexual harassment policy applies to all officers and employees of the City of Boonville, including, but not limited to, full and part-time employees, elected officials, temporary employees, and employees working under contract for the City.

This policy will be distributed to all employees of the City. Every employee will be required to acknowledge his or her receipt of this policy in writing. A copy of that acknowledgement shall be kept on permanent file in the City. Department Heads and supervisors shall also be responsible for insuring that all employees under their direction are familiar with this policy.

D. Making Sexual Harassment Complaints

Any employee who feels he or she is being subjected to sexual harassment should immediately contact one of the persons below, with whom the employee feels the most comfortable. Complaints may be made orally or in writing to:

1. The employee's immediate supervisor
2. The employee's Department Head
3. The City Counselor
4. The City Administrator
5. The Mayor

The employee shall have the right to circumvent the employee chain of command in selecting which person to whom he/she makes a complaint of sexual harassment.

The employee should be prepared to provide the following information:

1. The complainant employee's name, department and position title;
2. The name of the person or persons committing the sexual harassment, including his/her title(s), if known;
3. The specific nature of the sexual (or other) harassment, its approximate duration and the details of any specific threats, propositions or offensive remarks or conduct made by the alleged perpetrator of the harassment;
4. Witnesses to the harassment; and
5. Whether such harassment has been previously reported and, if so, when and to whom.

1. Reporting and Investigation of Sexual Harassment Complaints Against an Employee

The City Administrator is the person designated by the City to be the investigator of complaints of sexual harassment. The City Administrator may delegate the investigation to another City employee at his/her discretion. In the event the sexual harassment complaint is against the City Administrator, the investigator shall be a City employee appointed by the Mayor.

When an allegation of sexual harassment is made by any employee, the person to whom the complaint is made shall immediately prepare a report of the complaint according to the preceding section and submit it to the City Administrator or, in the event the sexual harassment complaint is against the City Administrator, to the Mayor.

The investigator shall make and keep a written record of the investigation, including notes of verbal responses made to the investigator by the complainant, by witnesses interviewed during the investigation, by the alleged harasser, and by any other person contacted in the course of the investigation. The notes shall be made while the verbal interview is in progress.

Based upon the report, the City Administrator shall, within a reasonable time, determine whether the complaint of sexual harassment is founded or unfounded. In making the determination, the City Administrator shall look at the record as a whole and at the totality of circumstances, including the nature of the conduct in question, the context in which the conduct occurred (if any problematic conduct has occurred) and at the conduct of the complainant. The determination of whether the sexual harassment complaint is founded will be made on a case-by-case basis.

If the City Administrator determines that the complaint of sexual harassment is founded, he/she shall take immediate and appropriate disciplinary action against the person engaging in harassment, consistent with his authority under ordinances, rules or regulations pertaining to employee discipline.

The disciplinary action shall be consistent with the nature and severity of the offense, the rank of the employee and any other factors the City Administrator believes relate to the fair and efficient administration of the City. In choosing the appropriate course of action, the City Administrator shall consider factors including, but not limited to, the effect of the offensive conduct on employee morale, the likely objective public perception of the offense, and the

light in which it casts the City. The disciplinary action may include a warning, reprimand, demotion, suspension or dismissal. A determination of the level of disciplinary action shall also be made on a case-by-case basis.

A written record of disciplinary action shall be kept, including verbal warnings or reprimands.

In all events, an employee investigated for sexual harassment shall be warned not to retaliate in any way against the person making the complaint of sexual harassment, any witnesses or any other person connected with the investigation of the complaint of sexual harassment.

2. Against the City Administrator

Upon receipt of a complaint of sexual harassment by the City Administrator, the Mayor shall present the report to the City Council. If the City Council determines that the complaint of sexual harassment is founded, it may discipline the City Administrator consistent with its authority under ordinances, resolutions or rules governing discipline of the City Administrator.

3. Against an Elected Official

The City Council may discipline an elected official in whatever manner it deems appropriate, consistent with its authority under state law, municipal ordinances, resolutions or other rules governing discipline of elected officials.

4. Sexual Harassment Committed By Non-Employees

In cases of sexual harassment committed by a non-employee against a City employee in the workplace, the City Administrator shall take all lawful steps to insure that the sexual harassment is brought to an immediate end, enlisting the assistance of the Police Department, if necessary.

5. Obligation of Employees

Employees are not only encouraged to report instances of sexual harassment, they are obligated to report instances of sexual harassment. Sexual harassment exposes the City to liability, therefore reporting it is a part of each employee's responsibility to reduce the City's exposure to liability.

Employees are obligated to cooperate in every investigation of sexual harassment, including but not necessarily limited to, coming forward with evidence, which may be favorable or unfavorable to any person involved (complainant or alleged harasser). Employees asked to take part in an investigation must fully and truthfully make a written report or verbally answer any questions put to them by an investigator looking into alleged sexual harassment.

Employees are obligated to refrain from filing bad faith complaints of sexual harassment. Disciplinary action may be taken against any employee who fails to report instances of sexual harassment or who fails or refuses to cooperate in the investigation of a complaint of sexual harassment or who files a complaint of sexual harassment in bad faith.

6. Confidentiality of Complaints

All internal investigations taken to resolve complaints of sexual harassment shall be conducted confidentially and shall be considered closed records under the Missouri Sunshine Law, as records related to the discipline or firing of specific City personnel.

7. Questions?

To report sexual harassment in a City workplace or in the course and scope of your City employment or to ask questions regarding this anti-harassment policy, please call or write the City Administrator at City Hall, 401 Main Street, Boonville, Missouri 65233. Phone: (660) 882-2332.

Orientation Verification and Acknowledgment of Personnel Policies of the City of Boonville

I, _____ have been given a copy of the Personnel Manual of the City of Boonville (2017). I have been given an opportunity to read this document and to ask questions about its contents.

I understand:

- 1) The City Council and City Administrator provide this Personnel Manual as a reference source for all employees. Department Heads will use this reference source to administer their individual departments.
- 2) The City Council, City Administrator, Department Heads and all other management personnel will consult it when making personnel decisions to provide equal employment opportunity for applicants and employees, develop systems for recruiting, assigning, training, advancing and evaluating employees and communicate basic employment values which encourage outstanding public service to the citizens of Boonville.
- 3) The language used in the Personnel Manual is not intended to create, nor is it to be construed to constitute an employment contract between the City of Boonville and any one or all of its employees. I acknowledge my employment with the City is on an at-will basis.
- 4) The City Council and City Administrator may make personnel decisions based on good common sense when this document does not address a particular problem or issue.
- 5) The City Council reserves the right to modify, revoke, suspend, cancel or change any or all language found in this document.
- 6) The City's drug testing policy is included in this document.
- 7) The City's sexual harassment policy is included in this document.

Signature

Date