

CITY OF VALLEY FALLS

EMPLOYEE HANDBOOK

Personnel Policies, Procedures, & Guidelines



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City of Valley Falls Organizational Chart

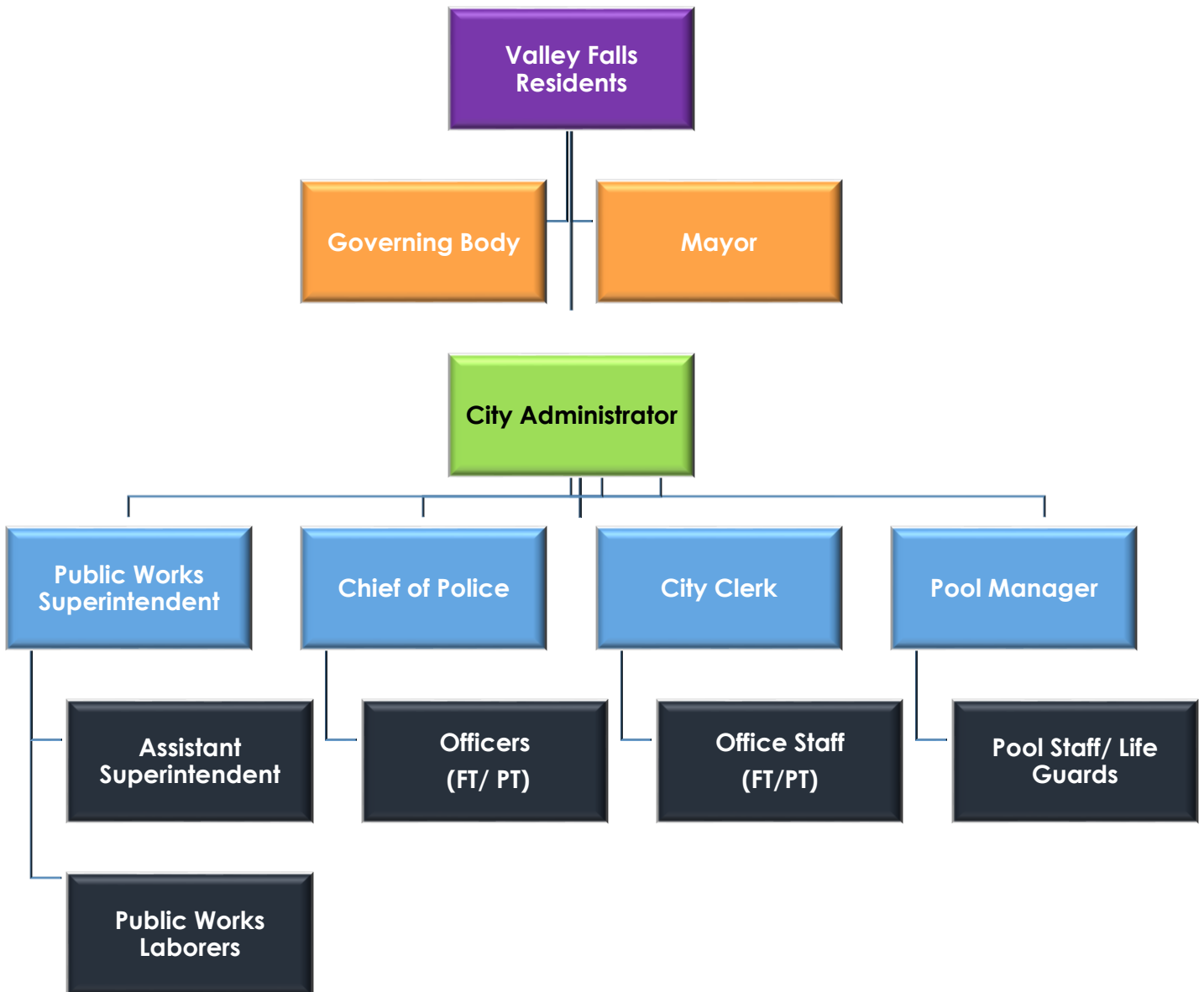


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INTRODUCTION

Good personnel management is essential for the efficient and effective functioning of city government. It is difficult to overestimate the importance of productive, competent employees in achieving the city's goals and policies. Personnel administration can also be an effective tool in city management. City government, in the final analysis, is people. It is people who repair streets, maintain sewers, read water meters, operate utility plants, maintain the parks, and do all the other things which the public demands of its municipal government.

If any regulations or laws of the United States Government or the State of Kansas conflict with the guidelines stated herein, these guidelines shall be automatically amended to conform to said regulations or laws for the employee so affected.

It is understood that nothing in the statement of these policies is intended to express or imply a contract of employment which limits the rights of the City to deal with city employees as employees at will. This means that all employees serve at the discretion of the Governing Body and may be dismissed from the service of the City at any time for no reason. The employee also has the right to terminate employment at any time.

The City Administrator under the direction of the Governing Body administers these policies. The policies of the personnel rules and regulations shall apply to all employees in the service of the City, except the elected officials.

It will be the responsibility of a council committee to review and revise these rules and regulation if necessary. If the Council feels that a present rule or regulation should be revised, as it is deemed essential or desirable for the improvement of city operations or the benefit of the employees, it will do so. All revisions and new policies must be approved by the Governing Body at its next regular meeting.

SECTION A: General Provisions

SECTION A-1: VISION, MISSION, GOALS, AND VALUES

Vision

The City of Valley Falls maintains the small-town atmosphere while being a leading example for innovation, growth, and quality of life.

Mission

Our mission is to enrich the quality of life in Valley Falls while building an attractive, inviting, and secure community. We strive to make the City of Valley Falls a prosperous environment for our employees, businesses, and residents. We pledge to work in partnership with our residents to foster community pride, to develop a vibrant, diversified economy, to plan for the future, and to preserve and enhance the natural beauty of our environment.



Goals

Housing: Maintain, develop, and improve housing to create affordable and quality inventory of residential properties

Infrastructure: Maintain, develop, and improve infrastructure for streets, water, gas, sewer, electric, trash, and other important utilities and services to support existing needs and development

Commerce: Create and sustain a viable environment that encourages development, growth, and a flourishing economy

Quality of Life: Exceed in a superior quality of life through recreation, safety, education, and community pride

Organizational Leadership: Create long-term financial sustainability and reputation for innovative, successful, and healthy workplace for employees

Values

Customer-Focused Service: We engage our clients, with a focus on listening to and supporting their needs, anticipating and delivering high quality services and ensuring their satisfaction.

Integrity: We conduct ourselves at all times in a manner that is ethical, legal, and professional, with the highest degree of honesty, respect, and fairness.

Innovation: We develop creative solutions and share leading practices that enhance the value of services provided for our residents and businesses.

Accountability: We promote openness and transparency in our operations ensuring that we are accountable for our actions at all times

Stewardship: We serve as trusted stewards of the public's financial, environmental, social, and physical resources seeking to responsibly utilize, conserve, and sustain for current and future generations.

SECTION A-2: GENERAL STATEMENT

This handbook has been developed to set forth the principles, procedures and policies that will be followed by the employees and the City of Valley Falls. The Employee Handbook shall become effective upon official adoption by the City Governing Body and shall supersede and repeal all existing personnel procedures and policies of the City. The City Governing Body reserves the right to consider recommendations to modify, revoke, suspend, terminate or change any or all such policies and procedures described in this Handbook, in whole or part, at any time, with or without notice. The language used in this Handbook is not intended to create, nor construed to constitute a contract between the City and any one or any group of employees. The regulations and policies contained herein shall apply to all City of Valley Falls employees.

The purposes in the administration of this Handbook are:

1. To develop programs providing for the improvement of employee effectiveness, including, but not limited to training, risk management, safety, health counseling and personnel utilization.
2. To assure equal opportunity and encouragement for every qualified person, regardless of race, gender, age, religion, sexual orientation, physical disability, color, national origin, or ancestry in securing and holding employment without discrimination.
3. To periodically review the use and effectiveness of this Handbook, and when necessary, recommend modifications, revocation, suspension, or changes as may be required.
4. To establish and maintain employment records for all city employees.

SECTION A-3: DEPARTMENT REGULATIONS

This Personnel Policies Handbook is not intended to limit the authority of any department director to make, or cause to be made, any rules or regulations governing the conduct or performance of departmental employees, subject to the approval of the City Administrator. Department policies and regulations shall not conflict with the provisions of these policies as adopted and approved by the Valley Falls City Governing Body.

SECTION A-4: ELECTED AND APPOINTED OFFICIALS

Elected and appointed officials are not subject to the City Personnel Policies and Procedures. Elected and Appointed Official positions excluded include: the Mayor, Governing Body members, members of appointed boards, commissions, and committees, the Municipal Judge, and the City Attorney.

SECTION A-5: AMENDMENT OF POLICIES

This handbook and the policies and procedures contained herein supersede all prior practices, oral, or written representations, or statements regarding the terms and conditions of my employment with the City of Valley Falls. By distributing this Handbook the City of Valley Falls expressly revokes any and all previous policies and procedures that are inconsistent with those contained herein. These policies may also be amended from time-to-time in the same manner as they were adopted.

SECTION A-6: ADMINISTRATIVE RESPONSIBILITY

The City Clerk shall keep adequate records of all persons employed, their pay scale, time worked, accrued vacation and sick leave, all absences for vacation, sick or other leave, accrued overtime and compensatory time, and all other records directed to be made maintained under these policies and guidelines or under state or federal law. An employee's personnel file shall be available during office hours for inspection by that employee.

SECTION A-7: EMPLOYEE RECORD RELEASE

References and verifications of employment of past and present employee may be released by the City of Valley Falls if written permission from the employee is contained in the employee's personnel file.

Documents pertaining to the employee's work history will be maintained with safety and integrity in the employee's personnel file in a locked file within the Office of the City Clerk. Inquiries for credit or employment information, received by the city about current or former employees, will be referred to the Office of the City Clerk.

The following reference information concerning an employee may be authorized for release: date of hire, positions held with the city, termination date, and last rate of pay.

Section B: Position Classification

SECTION B-1: TYPES OF EMPLOYMENT

The City of Valley Falls has the following employment classifications:

1. **Regular Full-Time:** An employee will be considered Regular Full-Time if they are scheduled on an annual basis for not less than eight (8) hours work a day or forty (40) hours in a standard work week of seven (7) days, not less than 2080 hours per year except for Police Officers. Police Officers shall be considered full-time if they work a total of eighty (80) hours per two weeks (14 days). Regular Full-Time employees are eligible for all benefits described herein.
2. **Regular Part-Time:** An employee will be considered a Regular Part-Time employee if they are scheduled to work on an annual basis of not less than twenty (20) hours in a standard work week of seven (7) days, not less than 1040 hours per year. Regular Part-Time shall be eligible to receive all benefits herein described at one-half the rate of Regular Full-Time employees.
3. **Non-Regular Part-Time:** An employee is considered a Non-Regular Part-Time employee if the hours they work are periodic and scheduled as needed on an annual basis and where the employee works less than forty (40) hours in a work week of seven (7) days. The actual work hours of a Non-Regular Part-Time employee may vary during the year. A Non-Regular Part-Time employee is basically one who is willing to work on call, as needed, with no assigned work hours. Non-Regular Part-Time employees are not eligible to receive any benefits or accrue service time.
4. **Seasonal and Temporary:** An employee is designated as Seasonal or Temporary if appointed for a pre-designated period which is less than 1040 hours per annum. Seasonal or Temporary employees are not eligible to receive any benefits or accrue service time. Salaries for Seasonal and Temporary employees must be consistent with the Pay Grade and Pay Range requirements described in the Position Classification and Pay Plan and with Federal and State wage and hour laws. Time spent as a Seasonal or Temporary employee will not be credited to service time and accrual of benefits will not be retroactively included in a Seasonal or Temporary status.

SECTION B-2: JOB DESCRIPTIONS

Each position shall have a job description that includes a description of the duties and responsibilities of the position, a statement of the essential and marginal functions and tasks of the position, and a statement of the qualifications for the position. Job descriptions shall be approved by the City Administrator and shall be kept on file. Job Descriptions shall be open to inspection by any interested party during regular office hours.

SECTION B-3: PAY PLAN

The Governing Body shall adopt a pay plan, with minimum and maximum amounts of pay for each class of position. The pay ranges assigned to each class of positions shall be periodically reviewed and revised by the Governing Body.

Section C: Employment

C-1 EQUAL EMPLOYMENT OPPORTUNITY

The City of Valley Falls is an Equal Opportunity Employer. Employees of the City and applicants for positions are guaranteed an equal opportunity to be considered for employment. The City will not discriminate against a worker or applicant on the basis of race, color, religion, gender, age, sexual orientation, marital status, national origin, veteran's status or disability. Recruitment, selection, placement, promotion, transfers and other personnel decisions will be based solely on merit and upon the job-related qualifications and abilities of applicants. Discrimination is prohibited except where age, gender or physical requirements constitute a bona fide occupational qualification.

C-2 EMPLOYMENT AT WILL

Employment with the City of Valley Falls is "at will." This means that the City of Valley Falls may terminate your employment for any legitimate non-discriminatory and lawful reason, with or without cause and with or without notice, at any time. Nothing in this Handbook or any other City policy shall be interpreted to modify or eliminate the at-will nature of the City of Valley Falls' employees. The at-will employment status of any City of Valley Falls employee may be modified only by written employment agreement with that employee and the Governing Body.

C-3 APPLICATIONS

All recruitment for City of Valley Falls employment shall be conducted through the City Administrator's Office. Any person seeking employment with the City shall complete the application form provided by the City. Resumes submitted as an attachment to the application form are acceptable as supplementary information.

C-4 HIRING PROCESS, TRANSFERS, & PROMOTIONS

The City Administrator shall administer and coordinate the hiring process for all position vacancies to ensure compliance with contractual, legal, and Equal Employment Opportunity requirements. The following procedures will be adhered to by all City departments in announcing vacancies:

1. The City Administrator will be notified immediately of position vacancies.
2. The affected department may be asked to assist the City Administrator, as necessary, in formulating the job announcement, job description revisions, ads, and in determining special applicant sources.
3. Job postings will be distributed to all departments. City employees may apply for any vacant position that is on the current jobs posting list. Employees seeking promotion or transfer shall be expected to meet the minimum qualifications for the position.
4. After that the opening will be advertised in local newspapers, trade publications and professional journals.
5. Applications shall be submitted using City of Valley Falls Employment Application forms. When the position being recruited is of a professional nature, a resume may be accepted in addition to the application form. The application and/or resume may be kept on file and used to consider an applicant for future positions for which he or she might be qualified. Internal candidates interested in applying for another position within the City should follow procedures as outlined in the policies dealing with Transfers or Promotions.
6. No applications for a position will be accepted after the published closing date unless otherwise approved by the City Administrator. If there are not enough sufficient qualified candidates at the closing date, the position may be re-opened and re-advertised.
7. The Department Head, in consultation with the City Administrator, will screen all applications received to determine qualifications for the position to be filled. Applications of top candidates that meet the minimum qualifications will be reviewed and approved by the City Administrator prior to scheduling interviews.
8. Applicants may be disqualified for consideration for employment when any of the City's automatic disqualifiers exist.
9. Internal hires do not change an employee's original date of employment. If an employee is given a pay increase to take another position, and then decides that he/she does not want that position and returns to their original job, their increase of pay will be rescinded and they will be paid at the same rate as when they left that job.
10. All new hires must be approved by the City Administrator or the Governing Body. All Department Heads hires must be approved by the Governing Body.

C-5 INTERVIEW PROCESS AND TESTING

Testing

Examinations may be developed for certain positions based on the essential functions of the position, the qualifications required, and available resources. Any job-related testing process shall be approved by the City Administrator prior to such testing. Such examinations may consist of structured questionnaires, practical tests, or written tests, or other means deemed legal and appropriate. If used, the testing will be based on recognized occupational qualifications and designed to determine the candidate's knowledge, skills, and abilities for the position. Examination results shall be reviewed by the City Administrator, with assistance provided by the applicable department. Examination contents are confidential, and unauthorized disclosure to any party is grounds for discipline. In certain situations, outside consultants may be contracted to assist with test development.

Interview Process

The primary function of the interview is to obtain data or certain knowledge, skills, and abilities of a candidate not available upon a standard review of applications and resumes. The following guidelines will be observed to maximize the validity and reliability of the interview process as well as ensure the adherence to all state and federal employment guidelines.

1. The interview panel will be selected by the City Administrator. The composition of the interview panel shall generally consist of personnel who have expertise with the essential functions of the position and a representative from City Administrative Staff. Relatives or personal friends of the applicants will be excluded from serving on the panel. When employing a Department Head level position, members of the Governing Body may be included on the interview panel.
2. The City Administrator and appropriate Department Head shall be responsible for the development of standardized interview questions and standards for measurement of candidate responses. Consistency will be maintained in the questions asked of all candidates. Questions will be designed to measure job knowledge, experience, and education, or to solicit responses that reflect personal traits that are job related. No inquiries related to an applicant's protected status under any federal, state, or local law shall be permitted.
3. Inquiries about whether an applicant has physical limitations relating to his or her fitness to perform the essential functions of the position shall be limited to inquiries regarding whether the applicant can perform the essential job functions of the position with, or without, reasonable accommodation. General inquiries that would divulge disabilities or health conditions that do not reasonably relate to fitness to perform the job are not permitted.
4. Copies of the application and job description of final candidates will also be provided to the interview panel members prior to the interview, along with proposed interview questions.
5. Each interview panel member shall score candidates for employment independently.
6. Following the interview, the interview panel shall attempt to reach a consensus and report the interview result and recommendations to the City Administrator.

C-6 REFERENCES AND BACKGROUND CHECKS

Certain City positions shall be requested to provide written authorization allowing the City to perform reference and/or background checks specifically related to the duties of that position. Such reference checks may include background checks of possible motor vehicle traffic violations, criminal background checks, references from current or past employers and other reference checks as the City may feel appropriate.

C-7 APPLICANT NOTIFICATION

A conditional offer of employment may be contingent on an applicant's successful passing of a lawful and job-duty related physical examination and/or drug/alcohol testing to determine if applicant can perform the essential functions of the position with or without reasonable accommodation. Pre-employment, post-offer medical and drug testing shall be accomplished at the expense of the City by licensed health professionals of the City's choice. An offer of employment shall be contingent upon satisfactory completion of the medical examination and drug testing.

C-8 EMPLOYMENT AND PROBATIONARY PERIOD

Employment with the City is voluntarily entered into and the employee is free to resign at any time, with or without cause or notice.

Every Regular Full-Time and every Regular Part-Time employee initially employed by the City of Valley Falls, and any employee transferred or promoted to a different position, shall be in an evaluation (probationary) period for six (6) months. The evaluation period allows the Department Head and City Administrator to observe and determine the ability and willingness of the employee to carry out the duties of the position as described in the Job Description and provides the employee the opportunity to determine that the position meets his/her skills and goals. During the probationary period, the employee shall be trained at the responsibility of the department head.

During the end of the initial period, but not later than, an evaluation will be done by the employees' immediate supervisor of the progress and performance of such employee. If the employee is not meeting expectations and not progressing in the position, two alternatives exist:

- 1.) Establishing a probationary period, which will be determined by the department head and the Governing Body and/or the City Administrator; or
- 2.) Dismiss the employee.

If an employee who has been transferred or promoted to a new position does not perform acceptably during the evaluation period, the employee may be returned to the former position or a similar position at the previous salary range if an appropriate vacancy exists.

Nothing about an employee's hire, transfer, or promotion to a new position or entering into a "probationary period," alters the at-will nature of employment, and City employees may be terminated for any lawful and legitimate non-discriminatory reason during his or her "probationary period."

C-9 EMPLOYEE ORIENTATION

All new employees of the City shall be scheduled to meet with the City Administrator, Department Head or designated person on their first day of work for general orientation. The City Administrator shall distribute and provide instruction regarding the various enrollment forms that must be completed to include information necessary for processing payroll and to prepare an employee identification card. Each new employee will be provided with information on employee benefits, City policies, and City operations as described in the Employee Handbook.

The department to which the employee is assigned shall provide additional information to new employees, including:

1. Work standards and regulations.
2. Hours of work, time cards or reports and leave requests.
3. Duties of the position.
4. Safety rules and procedures, location of safety or protective equipment.
5. Tour of the work area, including location of equipment, supplies, etc.
6. Introduction to co-workers.
7. Schedule for lunch and work breaks.
8. Standards of performance review and reporting.
9. Uniforms and equipment issued by the department as appropriate.

C-10 PART-TIME/ SEASONAL/ TEMPORARY HELP

Seasonal/temporary workers may be recruited and obtained through a Temporary Employment Agency as deemed necessary and approved by the Governing Body. The City will pay the Agency and the Agency will pay the employee. The only exception to this process will be Swimming Pool Seasonal Employees. The City will hire all Pool employees.

C-11 OUTSIDE EMPLOYMENT

Employees of the City of Valley Falls may hold outside employment if doing so does not in any way interfere with the employee's ability to perform the required duties of City employment. If a Departmental Head or the Governing Body determines that an employee's outside employment interferes with his or her performance or

ability to meet the requirements of the essential job functions of their job for the City, the employee will be asked to either terminate the outside employment or submit a resignation of employment with the City.

Outside employment with any person, business or corporation doing business with and receiving payment for service or materials from the City is strongly discouraged. In addition, no employee shall act in any matter or be involved in any decision where his or her judgment may be affected by personal relationships, personal involvement, financial considerations, or relationships involving any member of the family or family of the employee's spouse, children, or extended family.

C-12 RESIDENCY

City Police and Public Works personnel must be able to respond within a reasonable response time. It will be the responsibility of the Department Head to monitor the response times of employees. Failure of an employee to respond within a reasonable response time may result in disciplinary action up to and including termination.

Department Heads are required to live within the USD 338 school district.

C-13 NEPOTISM

To avoid the appearance of favoritism no City employee shall be employed in a department where the department head or supervisor is a member of their immediate family without specific approval from the City Administrator. "Immediate family" is defined to include only an employee's parents, stepparents, spouse, children, sister or brother, grandparents, grandchildren, mother or father-in-law and brothers or sisters-in-law.

Members of immediate families may be employed within the same department as a temporary part-time employee, seasonal employee, or a volunteer for a period not to exceed six months in any twelve consecutive month period.

If two employees within the same department marry or otherwise obtain a relationship whereby they become members of each other's immediate family, one of the employees shall be transferred to another department if possible, without loss of pay or other fringe benefits. If the City Administrator determines that no such alternate position is feasible or available, either employee in question may request a waiver of this policy. The Governing Body shall retain the sole authority to grant or deny such requests.

C-14 EMPLOYEE PERSONAL DATA REQUIRED

It is the responsibility of the employee to promptly notify the City of any changes in personal data. Personal mailing addresses, electronic e-mail addresses, cell phone and land line telephone numbers, individuals to be contacted in the event of an emergency, educational accomplishments and other data should be always current. If any personal data has changed the City Administrator or his/her designee should receive timely notification.

All City employees are required to have working telephones or cell phones and to provide the number to their Department Head and the City Administrator for inclusion in the employee's personnel file.

C-15 EMPLOYMENT VERIFICATION COMPLIANCE

The City of Valley Falls is committed to employment of citizens of the United States and individuals who are legally authorized to be employed in the United States. Each new and any former employee who has not been employed by the City within a three (3) year period must complete an Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility.

C-16 AMERICANS WITH DISABILITIES ACT (ADA)

The City of Valley Falls will make reasonable accommodations for disabled persons in compliance with Federal ADA regulations. Request for reasonable accommodations should be made to the City Administrator who is the City's designated ADA Compliance Officer.

C-17 DISABILITY ACCOMMODATIONS

Employees requiring accommodations for a medical condition or disability shall notify their Department Head in order to determine how to accommodate the employee's needs. Every effort will be made to handle the disability accommodation with sensitivity to protect the confidentiality of the information shared by the employee requiring

accommodation. Additionally, all requirements of the Americans with Disabilities Act will be considered where appropriate.

C-18 FAIR LABOR STANDARDS ACT (FLSA)

In response to the requirements of the Fair Labor Standards Act, each City of Valley Falls position description has been reviewed to determine compliance and designation under the Fair Labor Standards Act. The definitions are as follows:

1. **Non-Exempt Employees:** Employees who do not meet the legal definition of an Exempt employee are designated as Non-Exempt or hourly. Non-Exempt employees are paid by the number of hours they perform their job, including compensation for the hours worked overtime. Most City of Valley Falls employees are in this category and shall receive overtime compensation or compensatory time off for hours worked in excess.

Non-Exempt Employees shall record total hours worked for each workday.

2. **Exempt Employees:** City of Valley Falls employees legally classified as exempt from overtime compensation due to their occupational classifications as executive, professional, technical, or administrative are "Salary Exempt" employees. Those employees are paid for fulfillment of job responsibilities on a salary basis and are not paid an hourly rate or overtime pay. Typically, contract employees, unclassified appointed officials, elected and other positions meeting FLSA definitions of exempt are designated as Exempt Employees

C-19 USE OF OFFICIAL BADGE AND CREDENTIALS

It is the policy of the City of Valley Falls to issue identification cards to employees and Governing Body members. The cards should be available to allow employee access to emergencies during times of community disaster and as a form of identification if requested by a member of the public or another city employee. The card also provides immediate access to emergency information should an employee become injured or incapacitated on the job. The card should contain the employee's name, employee photo, City department, position, and other emergency information.

The Card should be carried at all time when an employee is acting in an official capacity. Unauthorized or inappropriate use of the employee identification is prohibited and may result in disciplinary action. Any lost, stolen, damaged or destroyed cards should be reported to Administration. Any change of information contained on the identification card shall be reported to Administration for issuance of a new card.

Section D: Compensation

D-1 RECORDING WORK TIMES

Accurate recording of time worked is the responsibility of every non-exempt City employee. Federal and State Wage and Hour Laws require the City of Valley Falls to maintain accurate records of time worked to calculate employee pay and benefits. Time worked is the actual time spent by an employee performing assigned work duties. Department Heads shall review and sign employee time records verifying accuracy of the time recorded. Failure to accurately record all hours worked or falsifying an employee's own work hours or a coworker's work hours will result in immediate disciplinary action, up to and including termination.

D-2 WORK SCHEDULES

The work week begins at 12:00 a.m. on Saturday and ends at 11:59 p.m. on Friday of each week unless otherwise identified in standard procedures and documented in employment records. Employees will be paid for all hours worked within that period.

D-3 PAY PERIODS

City of Valley Falls employees are paid biweekly on every other Wednesday. Each employee payroll check shall include earnings for all work performed or benefits received (vacation, holiday, PTO, etc.) during the payroll period, less all required or authorized payroll deductions. Should a regularly scheduled payday fall on a City holiday, employees will receive payroll deposit slips on the last work day before the holiday. When a regular pay day falls during an employee's time off, the employee's payroll deposit will be available when the employee returns to work.

D-4 OVERTIME

Overtime shall be paid in accordance with FLSA to non-exempt employees at the rate of one and one-half (1.5) times regular pay for hours in excess of required actual hours worked in a defined pay cycle or pay period. The hours required within pay cycles and pay periods before overtime is paid are as follows:

1. Police employees: Eighty-six (86) hours in a fourteen (14) day work cycle.
2. All other City employees: All hours worked in excess of forty (40) hours in a seven (7) day period.

All overtime must take place at the direction of a Department Head and approved by the City Administrator. An employee cannot claim overtime without being directed to perform overtime by an authorized person. Failure to approve prior approval of the Department Head and City Administrator or and/or failure to immediately report overtime hours if such prior approval cannot be reasonably obtained within twenty-four (24) hours will result in immediate disciplinary action, up to and including termination.

D-5 COMPENSATORY TIME

All non-exempt employees may be granted compensatory time in lieu of receiving overtime pay. Granted compensatory time shall be accumulated at a rate of one and one-half (1.5) hours of compensatory time for each one (1) hour of overtime worked.

D-6 PAYROLL DEDUCTIONS AND SETOFFS

The City of Valley Falls is required to make various deductions from each employee's payroll compensation. The required deductions include applicable Federal and State taxes, Kansas Public Employee Retirement System (KPERs), Social Security and Medicare, any court ordered garnishment, and any other mandated payroll deductions as may be determined in the future. Additionally, eligible employees may authorize deductions from their payroll checks to pay the cost of various optional employee benefit programs.

D-7 STANDBY PAY

Employees of the City of Valley Falls are not considered to be "on-call", including the Police Department. For the purpose of this policy, "on-call" meaning paid an amount of compensation for being available for calls for services, outside of scheduled work hours, with an expectation of response. In addition, this does not mean that non-exempt employees are expected to respond to calls outside of their regular scheduled shifts.

Employees of the City of Valley Falls may choose to respond to a “call-out”. For the purpose of this policy, voluntarily responding to a call for service outside of scheduled work hours. Under these circumstances, employees will be eligible for two hours of compensation, regardless of the time the call for service lasts. If the call for service extends past two hours, the employee will be paid for the amount of time worked in excess of two hours at their normal rate of pay. Unless the employee meets requirements for overtime compensation in that given pay period, which at that point the employee will be paid the appropriate over time compensation for their pay rate.

No person employed in an administrative, executive, or professional position, as defined by the Federal Fair Labor Standards Act, shall be eligible for overtime compensation, or call-out compensation.

D-8 PAY INCREASES

Pay increases are not routine or automatic and are subject to approval by the Governing Body. City employees may be eligible to receive pay increases as follows:

1. All full-time employees, who have been employed with the city for longer than six months, are eligible for a pay increase according to the score on the employee’s annual evaluation. Pay increases will take effect the first payroll in January.
2. Upon successful completion or graduation full-time employees shall be eligible for an increase of the following:
 - a. Kansas Law Enforcement Training Center (KLETC) - \$2.00/ hour
 - b. Master Municipal Clerk - \$2.00
 - c. Water Operator II - \$1.00
 - d. Wastewater Operator I - \$1.00
 - e. Certified Public Manager Program - \$1.00
 - f. ICMA Credentialing - \$1.00
3. Employees who successfully completion of a program or certification shall be eligible for a \$.25 raise. Certified programs must be approved by the City Administrator.
4. Employees promoted to a higher job classification shall receive at minimum a raise to the bottom of the new range. Wages higher than the minimum for that pay level must be approved by the City Administrator.
5. Employees whose performance has been deemed to be unacceptable as reflected in his/her evaluation, will not be eligible for a pay increase.
6. Employees on suspension, or who have been demoted within the past year are not eligible for a salary increase.

D-9 COST-OF-LIVING ADJUSTMENT (COLA)

Each year during the budget work session, the Governing Body may approve a cost-of-living increase. All full-time employees who have completed their first year of employment are eligible for the Cost-of-Living Adjustment. Pay increases will take effect the first payroll of January.

D-10 PERFORMANCE EVALUATIONS

As discussed in Sections D-8, employee performance evaluations will be considered in determining the following employment matters: salary increases and decreases within the limits established, promotions, demotions, order of layoffs, transfers, and terminations. Performance evaluations will be conducted as follows:

1. Performance evaluations will be completed during the 4th quarter each year for all full-time employees. Performance evaluations must be completed, signed by all parties, and turned into City Administrator as instructed for the current evaluation period. At the discretion of the Department Head in conjunction with the City Administrator, the evaluation of a new employee may be delayed until the employee has completed his/her first six months of employment.
2. All departments shall use the approved form for employee evaluations.
3. Each employee shall be evaluated by his/her immediate supervisor. Indirect supervisors shall also review the evaluation and make comments as appropriate. Evaluations will be discussed with the employee following approval by the appropriate immediate supervisor and/or Department Head.
4. The City Administrator's evaluation shall be completed by the Governing Body.
5. The evaluation will be placed in the employee’s personnel record after it is signed by the employee, the direct supervisor, and the City Administrator. All Performance Evaluations are subject to Governing Body review and approval.

D-11 UNIFORM ALLOWANCE

In those departments where a clothing allowance is provided or uniforms otherwise furnished, it shall be the responsibility of the department head, with the approval of the City Administrator, to establish a standard list and authorized inventory to be maintained by each employee. Clothing allowance is intended to enhance the general appearance and safety of the entire department and shall not be considered a salary supplement. Uniforms provided by the City shall be worn only during the performance of municipal responsibilities or other functions specifically approved by the department head. A uniform reimbursement allowance of up to \$250.00 shall be allowed annually.

Section E. Attendance

E-1 FAILURE TO REPORT TO WORK

Failure to report to work without prior approval of authorized leave shall be deemed to be an absence without pay and will be grounds for disciplinary action. An employee absent for three or more consecutive days without prior authorization shall be deemed to have resigned their employment. The City Administrator may grant leave, with or without pay, when there are extenuating circumstances.

E-2 UNPAID ABSENCE

The City Administrator may grant a leave of absence without pay for a defined period, with or without a guarantee of continuing employment.

E-3 INCLEMENT WEATHER, DISASTERS, AND ADVERSE SITUATIONS

To the extent possible, all City employment facilities will remain open according to the regularly scheduled business hours during inclement weather, disasters, and adverse situations. The City Administrator reserves the right to change business hours and/or close City facilities as conditions may warrant.

Every effort should be made to be at work due to on-going business requirements. In the event of inclement weather, disasters or an adverse situation which prevents an employee from getting to work, the employee must use accumulated vacation leave to be compensated for this time. The employee must make every effort to notify his or her Department Head of the absence prior to the start of the employee's scheduled shift.

When City facilities are closed early due to inclement weather, a disaster or other adverse situation, employees will receive pay for actual time worked prior to closing. Employees may supplement this amount with accumulated vacation time to offset the time off from work.

The City Administrator may grant administrative leave for employees due to inclement weather, a disaster, or other adverse situations.

Section F. Employee Benefits

F-1 GROUP MEDICAL AND DENTAL INSURANCE

The City offers full-time employees and their eligible dependents group medical, vision, dental and mental health coverage. All full-time employees may participate in the City's group health insurance plan. Employee's may opt out of the City's insurance policies at their discretion.

Specific benefits of the plans are described in insurance brochures provided to each new employee by the City Administrator.

1. When an employee is required to contribute a portion of medical insurance premium cost, that amount will be accomplished through payroll deduction.
2. The Governing Body shall make the final decision regarding the selection of a health insurance provider, the coverage to be provided, and the portion of premium cost to be paid by the City.
3. All costs for health care insurances available through the City shall be paid by the employee during any period the employee is on leave without pay, is on suspension without pay, is on unauthorized leave, or participating in any unlawful work stoppage.
4. Health care insurance coverage shall be extended to an individual who is temporarily disabled and receiving workers compensation while serving as a city employee. The employee's share of cost shall be paid to the city as a direct payment by the employee or otherwise deducted from any city compensation payments. In the event no payment is received from the employee's share of insurance cost, the option to cancel the insurance remains with the City.
5. No regular full-time or part-time employee shall be entitled to cash payment or compensation in lieu of health insurance. The only exceptions will be arrangements previously agreed upon by the Governing Body before the adoption of these policies.
6. The City complies with those provisions of the Federal Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA) as it relates to the availability of group health insurance coverage upon termination of City employment. Retirees of the City of Valley Falls, under the age of 65, shall be eligible for continued participation in the city's health insurance plan, upon payment of all costs thereof, in accordance with the provisions of K.S.A. Supp. 12-5040 and a resolution is passed by the Governing Body.

The Governing Body shall make the final decision regarding the selection of a health insurance provider, the coverage to be provided and the portion of premium cost to be paid by the City.

The policy premium is co-shared by the employer and the employee. Employees will have the difference of any election above the single policy rate taken from their payroll, as a payroll deduction.

Any misuse of deductibles or co-insurance will be automatic dismissal. Any questions concerning the City's health insurance policy should be directed to the City Office.

F-2 CONTINUATION OF MEDICAL COVERAGE (COBRA)

Employee and/or dependent medical and dental coverage under the current plan may cease because of one on the following events:

1. Employee Qualifying Event.
 - a. Termination of employment for any reason.
 - b. Reduction in the number of hours of employment.
2. Spouse or Dependent Child Qualifying Event if Event Causes Spouse or Dependent to Lose Coverage.
 - a. Covered employee becomes entitled to Medicare.
 - b. Divorce or legal separation.
 - c. Death of covered employee.
3. Dependent Child Qualifying Event if Dependent Loses Coverage
 - a. Loss of Dependent Child Status Under Plan Rules (Coverage provided under Patient Protection and Affordable Care Act until age 26 of dependent.
 - b. COBRA coverage lasts 18 or 36 months depending on the coverage.

Employees or dependents may elect to continue medical coverage including dental beyond the date that it would otherwise terminate by doing one of the following:

1. Convert the group medical coverage to an individual policy provided directly by the insurance carrier.
2. Continue to participate in the group medical coverage plan under the criteria outlined below:
 - a. Rights of the Employee. Employees presently covered by the insurance plan or health maintenance organization (HMO) may continue this coverage for up to 18-36 months from the date that employment terminates or status changed to a nonparticipating (non-insured) employment status provided that the employee pays the full cost of premium and any administrative fee (up to 2%) that may be imposed.
 - b. Rights of a Spouse of Employee. The spouse of an employee covered by the medical plan or a sponsored (HMO) has the right to continue coverage if the employee was terminated or changed to a nonparticipating employment status, or if a divorce or legal court-decreed separation from the employee took place. Coverage under these circumstances may continue for a period up to 36 months provided that the spouse pays the premium in full and any administrative fee (up to 2%) that may be imposed.
 - c. Rights of Child(ren). Dependent children of an employee covered by the medical plan or a sponsored (HMO) have the right to continue coverage if group health insurance coverage under the medical plan is lost because of termination of a parent's employment or change to nonparticipating employment status, parents' divorce or legal court-decreed separation, or the dependent ceases to be a "dependent child" under the medical plan (attains age 26). Coverage under these circumstances may continue for a period up to 36 months provided that the spouse pays the premium in full and any administrative fee (up to 2%) that may be imposed.
3. Election.
 - a. If an employee or eligible spouse or dependent does not elect to continue coverage, group health insurance will end as scheduled under the plan.
 - b. If an employee elects to continue group medical coverage, the employee or eligible spouse or dependent is responsible for paying the entire cost (both employer and employee share). This cost will be subject to periodic rate changes. Employees are not required to show that they are insurable (by taking a medical exam) to continue the coverage.
 - c. Continued coverage may be terminated earlier than the 18 to 36 month period if group medical plans for all other employees are terminated, or if the employee or eligible spouse or dependent:
 - Fails to remit the required monthly payment within 31 days of the due date.
 - Becomes eligible under any other group medical plan.
 - A covered spouse remarries and becomes eligible to be covered under another group plan.
 - Becomes eligible for Medicare.

F-3 RETIREMENT BENEFITS

Full-time employees may participate in the Kansas Public Employee's Retirement System (KPERs). Part-time employees may also be eligible. For eligibility see the City Clerk. KPERs provides for retirement benefits and disability protection when eligible members meet plan requirements.

Retirement benefits accrue from employee and employer contributions. Contributions to the retirement system are mandatory for eligible positions and are deducted from the member's compensation each payroll period. If a member terminates service without retiring, accumulated contributions with earned interest, are refundable upon request to KPERs during a certain time period (normally 60 days following termination). Employer contributions are not refundable. Employees become vested in accordance with current retirement system policies. Annual benefit statements are provided by the Retirement System to participating members. Employees may request an estimate of benefits from the retirement system at any time to obtain an approximate projected retirement benefit figure.

Enrollment and benefits forms are available through the City Clerk. It is the employee's individual responsibility to keep information on file up to date related to their retirement account as to name, address and beneficiary(s).

All employees who are contributing members of KPERs are eligible for KPERs Death and Disability benefits in addition to regular KPERs benefits. This benefit is explained in the information provided by the Kansas Public Employment Retirement System at the time of required enrollment.

When any employee of the City of Valley Falls takes early or normal retirement after ten (10) years of service they shall be entitled to one (1) week retirement pay.

F-4 WORKER'S COMPENSATION

All employees of the city receive the benefit of the Kansas Workers' Compensation Act, in accordance with such laws and guidelines. The cost of this benefit is paid entirely by the employer.

It is the employee's responsibility to notify their supervisor immediately if an injury occurs on the job. All injuries occurring on the job must be reported to the employee's immediate Supervisor. The Supervisor will complete the City's Incident Report even if medical attention is not given. It is the employee's responsibility to submit the incident form to the City Administrator's office the day of the incident, or the following business day if the incident occurs after office hours. If medical attention is required, the City Administrator's office shall schedule an appointment for the employee to be seen by the designated provider unless said physician is unavailable. Another physician in the City will be contacted in that case. In an emergency, seek treatment immediately at the nearest emergency facility. If the injury is deemed a true emergency the Supervisor will transport employee to the Emergency Room. Failure to file an Incident Report in a timely manner may result in a claim being denied.

Employees injured on the job will need to use their own leave during the first seven calendar days after filing for workers' compensation claims. (PTO, Personal or Vacation.) Once Workers' Comp has deemed the injury compensable the employee will be reimbursed for the first seven days only if time off due to the injury continues past seven days.

When an employee receives compensation under the Workers' Compensation Act, the pay he or she receives from the city, while an employee of the city, shall be the difference between his or her regular rate of pay and the amount he or she receives from Workers' Compensation. The total amount cannot exceed the cap set by law.

No employee shall receive Workers' Compensation for injuries or illness occurring during personal time.

F-5 LIFE INSURANCE

All full-time employees are currently covered by a term life insurance policy through KPERS, at no cost to the employee, in the amount of 1.5 times the employee's annual earnings, and double indemnity for accidental death and dismemberment (AD&D).

All full-time employees are eligible for Life insurance through KPERS Life. The base coverage is \$50,000 and can be increased in \$5,000 increments each year.

Specific benefits and terms of the policy(s) are provided to each new employee. Additional information concerning life insurance policy(s) are available from the City Administrator.

It is the employee's individual responsibility to keep on file information related to his or her policy up to date as to name, address and beneficiary(s).

F-6 SOCIAL SECURITY/ OASDI BENEFIT

All employees are automatically included as participants in the Social Security System/ OASDI Benefit (FICA), which provides workers with the following benefits: retirement insurance, survivor's insurance, disability insurance, Medicare for the disabled and the aged, Black Lung benefits, and supplemental security income. The benefits are in addition to the Kansas Public Employee's Retirement System. The cost of this benefit is paid equally by the City and the employee, with the employee contribution being made through payroll deduction.

F-7 UNEMPLOYMENT COMPENSATION

The City is a covered employer under the Unemployment Compensation Law. The basic objective of the program is to provide a partial replacement of wages for employees during short periods of involuntary unemployment. By law, the cost of Unemployment Compensation funding is paid by the City. The Kansas Department of Labor will make a determination if the employee is or is not eligible to receive unemployment benefits.

F-8 BONDING

The City of Valley Falls maintains bonding insurance on those employees who, in the performance of their duties require such bonding.

F-9 RECREATIONAL PLAN

All employees and their dependents are eligible for membership at USD 338 Fitness Center at discounted rates. The City may pay \$30.00 towards the annual premium. Monthly premiums can be made through payroll deductions or paid directly to the City. All employees and their spouse and children are eligible for free admission to the municipal swimming pool during regular season hours.

F-10 CAFETERIA PLAN

The City of Valley Falls offers opportunities to other benefits through the cafeteria plan. Benefit premiums will be deducted from the employee's paycheck. The cost to participate in these programs are paid for solely by the employee. Employees will be informed of plans and benefits available.

F-11 SAVINGS ACCOUNT

The City of Valley Falls has the opportunity to send money directly to an employee's bank account through an automatic deduction.

F-12 EMPLOYEE ASSISTANCE PROGRAM

The City provides an employee assistance program (EAP) which is available to all employees and their family members. The program is a confidential guidance and treatment referral service for personal problems or problems which affect job performance. The program is designed to deal with a broad range of human relations problems such as alcohol or other drug abuse, emotional and behavior disorders, family or marital discord, financial, legal or other personal problems. It is also designed to provide early identification of personal problems, and motivation to take steps to resolve the problems before they become detriments to the employee's job performance. The program provides for referral to appropriate professional resources for assistance.

Participation in the EAP does not excuse employees from complying with normal City policies or from meeting normal job requirements during or after receiving EAP assistance. Nor will participation in the EAP prevent the City from taking disciplinary action against any employee for performance problems that occur before or after the employee's seeking assistance through the EAP.

Employees interested in learning more about our EAP or in discussing a personal or job-related problem should contact their supervisor or the City Administrator.

F-13 EDUCATIONAL ASSISTANCE

Statement of Policy: Employees are encouraged to continue their formal education through participation in off duty/non-working hour's educational programs. Reimbursement for educational expenses incurred by such participation may be granted for job-related courses with prior written approval of the City Administrator, provided funds have been budgeted for such reimbursement. The reimbursement may be a taxable event. Consideration of employee request for tuition reimbursement is dependent upon budgetary constraints and the recommendation of the employee's Department Head. Time spent in attendance at these courses shall be considered the employee's personal time and is not counted as time worked.

Procedures: Any reimbursement shall be given only after successful completion of the course/program. Successful completion is defined as receipt of a certificate of satisfactory completion or a grade of "C" (2.0 grade point) or better in the case of academically rated courses, or attainment of pass in a pass/fail grading system. Tuition reimbursement is for the course only; no reimbursement is given for books, lab fees, travel expense or material cost. At the discretion of the City Administrator and Department Head, the City may reimburse an employee for all, or part of, expenses incurred for books, tuition, and/or fees. Approval for tuition reimbursement shall only be allowed for courses offered by accredited colleges, universities or vocational training institutes. The City may reimburse to a maximum of \$2,500.00 per semester pending on available funding.

Request for reimbursement must be at least 30 days in advance of the anticipated course of study, for pre-approval. Request for reimbursement must be made within thirty (30) days following the completion of the course of study.

Upon separation from City employment, employees will reimburse the City for any tuition reimbursement received in the previous twenty-four (24) months.

Any dispute regarding eligibility or the level of reimbursement may be appealed to the City Administrator for resolution.

Employees who acquired work related training on their own time and expense are encouraged to notify the City Administrator so the information can be noted in the employee's personnel file.

F-14 EMPLOYEE APPRECIATION PROGRAM

In the event of the death of an immediate family member of the employee or employee's spouse, the City will make a memorial contribution to the listed charity in the obituary or send a floral arrangement not to exceed \$50.00.

The City may provide appreciation luncheons and events for employees. These events will be coordinated and approved by the City Administrator.

An employee of the year shall be elected annually by the department heads and city administrator. The employee will receive a \$100 chamber bucks and name on the Employee of the year plaque.

F-15 CELL PHONE REIMBURSEMENT

Purpose

The City of Valley Falls has established a monthly Cell phone stipend for employees whose job duties require that they be able to communicate by Cell phone. The employees that participate are required to be accessible by such phones as a condition of employment. The objective of this policy is to provide guidelines on obtaining the stipend and on the responsibility and acceptable use of Cell telephones.

Policy and Procedures

Generally, the use of mobile phones should be selected secondary to other means of communication e.g., land-lines, computers, radios, etc.

Wireless transmissions should not be considered secure. Employees using City-owned mobile phones or personally owned mobile phones to conduct City business should use discretion in relaying confidential information. Reasonable precautions should be made to prevent vandalism, equipment theft, improper use, and unauthorized access.

The City reserves the right to monitor use of all City-owned mobile phones.

Only employees whose job duties require that they be able to communicate by Cell phone at regular or often re-occurring intervals will be eligible for the monthly stipend. In consultation with the Department Director, the City Administrator shall have authority to assign or deny stipend request as it relates to functional needs.

As needed, each director shall submit a Cell phone reimbursement request to the City Administrator identifying each staff member who will receive a stipend. If determined appropriate, employees will be offered, on a voluntary basis, the option of a stipend Cell phone allowance to compensate them for the use of a personal Cell phone for City use.

If an employee has been issued a City-owned cell phone for work use, this employee must continue to utilize this device until determined otherwise by the Governing Body.

Reimbursement/Stipend Amount

The mobile phone reimbursement is designed to offset the cost to the employee for using his/her personal device for City business. The amount of the monthly mobile phone reimbursement shall be based on the requirements of the job. In the denomination amount of:

Job Title	Status	Monthly Amount	Annual Amount
City Administrator	Full-Time	\$50.00	\$600.00
Police Department	Full-Time	\$50.00	\$600.00
Public Works Director	Full-Time	\$50.00	\$600.00
City Clerk	Full-Time	\$50.00	\$600.00
Public Works Staff	Full-Time	\$50.00	\$600.00
Pool Manager	Seasonal (5 months)	\$50.00	\$250.00

The stipend amount will be determined annually, or as deemed necessary, by the Governing Body. The approved mobile phone reimbursement will be paid monthly.

This reimbursement does not constitute an increase to base pay, and will not be included in the calculation of percentage increases to base pay due to salary increases, promotions, etc.

As per IRS Memorandum IR2011-93, the monthly stipend will not be subject to State and Federal Income Tax as long as there is a substantial business reason for receiving the stipend.

Responsibility

In order for an employee to receive a stipend, he/she shall comply with the following conditions:

1. Employee agrees to limit personal, non-work-related calls during scheduled hours to eliminate work interruptions and disruptions to co-workers.
2. Employee agrees to have work phone charged and ready for use during normal working hours and at times when work communication is anticipated or required.
3. Employee will provide his/her own personal Cell phone and be responsible for the maintenance and upkeep.
4. Employee will be responsible for the purchase and maintenance of their own Cell phone plan and contract.
5. Employee is required to provide their Cell phone number to their Department Head, and when appropriate, co-workers and other City officials.
6. An employee receiving a mobile phone reimbursement may be expected to carry the mobile phone on his/her person both on and off duty and respond when called for City business.
7. The City reserves the right to terminate the Cell phone stipend or City issued phone at their discretion and for any reason.
8. The stipend amount will be determined annually, or as deemed necessary by the Governing Body.
9. Non-exempt, or hourly employees receiving a mobile phone reimbursement will not be expected to utilize their mobile phone for business purposes outside of business hours, unless otherwise stated in their job responsibilities, directed by a supervisor and/or Department Director, or if the employee is "on call or stand-by".
10. Employees reviving a mobile phone reimbursement may choose a provider and plan design of their choice. Because the employee owns the mobile phone, the employee may use the phone for both business and personal purposes, as needed. Use of the phone in any manner contrary to local, state, or Federal laws will constitute misuse, and will result in immediate termination of the reimbursement. If prior to the end of the mobile phone contract, a decision by the employee, or employee misconduct, or misuse of the phone results in the mobile phone reimbursement being discontinued, or the need to end or change the mobile phone contract, the employee will bear the costs of all fees associated with the change or cancellation. For example, if an employee resigns, and no longer wants to retain the current mobile phone contract for personal purposes, any cancellation charges will be the employee's responsibility.
11. Employees who abuse this policy for whatever reason may be subject to disciplinary action.

This policy is intended to ensure compliance with the Internal Revenue Code § 274(d), §280F (d)(4), § 132(d) and most recently IRS Memorandum IR2011-93. Failure to abide by these conditions may result in the employee being denied the Cell phone stipend or having it cancelled at the sole discretion of the City.

Section G. Employee Leaves

G-1 HOLIDAYS

Employees are eligible to receive paid holidays beginning the first day of employment. The following days shall be observed holidays:

New Year's Day	Labor Day
Martin Luther King Jr. Day	Veterans Day
Good Friday	Thanksgiving
Memorial Day	Day after Thanksgiving
Juneteenth	Christmas Eve
Independence Day	Christmas Day

1. If a paid holiday falls on a Saturday, it shall be observed on the preceding Friday. If it falls on a Sunday, it shall be observed on the following Monday.
2. To be eligible to receive pay for an observed holiday, an employee must not have been on "leave without pay" status on all or any part of the workday prior to or following the holiday.
3. The City Administrator may designate any other day as an official holiday and grant a day off with pay for City employees.
4. Full-time non-exempt employees, shall receive eight (8) hours of holiday pay (at the regular rate of pay) on the observed holiday. Full-time employees required to work on the actual holiday shall be paid for the total number of hours worked that day at 1.5 times the employees' regular rate. Holiday pay will not count as time worked for the purpose of calculating overtime.
5. Part-time employees shall not receive paid holidays. If required to work, they shall receive their regular hourly wage, or overtime if applicable under Fair Labor Standards Act (FLSA) standards.

G-2 VACATION

Vacation leave shall be earned and accrued on January 1st of each year after the first year of employment under the conditions herein stated. Vacation leave shall be granted after the employee has satisfactorily completed 60 days of employment. Vacation time off must be approved by the Department Head following the completion of the first year of employment.

Regular Full-Time employees will accrue vacation with pay in accordance with the following accrual schedule:

Years of Service	Hours per Year	Maximum Accruals
Less than 1	40 hours (5 days)	40 Hours (5 days)
1-5	80 hours (10 days)	160 hours (20 days)
6-9	120 hours (15 days)	240 hours (30 days)
10+	160 hours (20 days)	240 hours (30 days)

Scheduling: Vacation leave shall be scheduled with the employee's Supervisor and/or Department Head. In cases where the requested vacation schedules of two or more employees would adversely affect the efficient operation of the city, vacation leave shall be granted on a first come, first served basis at the discretion of the Department Head.

Holidays during vacation: City holidays occurring during an employee's authorized vacation shall not be considered a vacation day.

Minimum Hours: Vacation leave shall not be expended in increments of less than one quarter (1/4) hour.

Termination: An employee shall be compensated for all accrued and unused vacation at their final rate of pay upon termination of employment.

G-3 PAID-TIME-OFF (PTO)

All hourly and salaried full-time personnel shall accrue 4 hours of Paid-Time-Off per pay period.

1. An employee while on paid PTO, vacation leave, or other leave with pay shall continue to earn credit for PTO and vacation leave. An employee shall earn no leave credit while on leave without pay.

2. In the event that an employee must be off the job but is not eligible for or does not have a sufficient amount of PTO time available, he may submit a leave request for leave without pay. The approval or non-approval of such request will be determined by the employee's Department Head.
3. All employees shall have a maximum amount of PTO accrual equal to 1,040 hours. Employees who exceed the accrual maximum shall not be credited with further PTO accrual until their accruals are reduced below the maximum accrual level. A waiver of the maximum accumulation rule may be granted under special circumstances with the permission of the City Administrator.
4. All PTO must be approved by the Department Head under whose supervision the employee is placed. If any such employees of the City of Valley Falls is terminated such leave is cancelled and re-employment by the City of Valley Falls will not reinstate such PTO time.
5. Any absence for a fraction or part of a day shall be charged in increments of not less than one quarter (1/4) hour. Departments may set larger increments based on operational needs.
6. Employees are to request PTO in advance whenever possible and in accordance with their department's policies. If advanced notice is not given in accordance with their department's policies, it shall be called unscheduled PTO. The abuse of unscheduled PTO, which may be considered excessive by the supervisor, shall be investigated and the employee may be subject to disciplinary action. Employees may be required to furnish medical verification to prove that unscheduled leave was unavoidable.
7. The City of Valley Falls, upon KPERS classified retirement of any employee, will buy back from the employee unused PTO, provided the following are met:
 - a. The employee must have worked for the City of Valley Falls full time for a minimum of five years. Once the above criteria have been met the city will buy back from the employee 25% (twenty-five percent) of any and all PTO accrued to the employee as of their retirement date; the payment shall be a lump sum with appropriate taxes and deductions taken out and shall be included with the employee's last paycheck; Any leave not purchased shall be forfeited.

G-4 DISCRETIONARY DAY

One discretionary day shall be granted to each regular full-time employee and each regular part-time employee, with pay. This discretionary day shall be granted on a yearly basis and must be used between January 1 and December 31 of each year. If an employee starts after July 1, the employee may not accumulate until after January of the following year. There shall be no accumulation or carry-over of the discretionary day. The supervisor must approve the scheduling of a discretionary day.

G-5 SHARED LEAVE

Employees are not allowed to use PTO that is not earned. Employees needing additional leave may apply for Leave Sharing under this policy if they have exhausted all paid leave to include Vacation, Paid-Time-Off, and any accumulated compensatory time. The City Administrator may permit a full-time employee to receive Shared Leave donations from other qualified employees if:

The employee, the employee's child or the employee's spouse suffers from an illness, injury, impairment, or physical or mental condition that is of an extraordinary or severe nature and which has caused or is likely to cause the employee to go on leave without pay status or terminate City employment.

The City Administrator shall determine the amount of Share Leave, if any, which an employee may receive under this section. However, an employee shall not receive more than seven hundred and twenty (720) hours of donated PTO.

Donations will be directly subtracted from the donator's Leave balance. Donators will have to complete a form indicating the amount of time they wish to contribute. Employee donations will be made on a totally voluntary basis.

Exclusions to the use of shared leave include:

1. The employee is receiving other disability benefits.
2. The employee has been injured or disabled while committing a crime.
3. The employee has been injured or disabled as the result of being intoxicated by alcohol or drugs.
4. The employee has been injured or disabled while working for another employer

G-6 BEREAVEMENT (FUNERAL) LEAVE

In the case of death of a member of an employee's immediate family (to include only the spouse, children, mother, father, brother, sister, grandchildren, or grandparents), or those same relatives of the employee's spouse, full-time employees shall be granted paid funeral leave. The City Administrator may grant up to three (3) days paid working days to a full-time employee for funeral leave for immediate family members, and up to five (5) working days to a full-time employee for personal matters in the event of the death of a spouse. The Bereavement Leave allowed will not be charged to accumulated leave.

If additional time is necessary, it may be taken with any accrued leave time or unpaid leave as authorized in advance by the Department Head or the City Administrator.

The employee's relationship to the deceased and necessary travel time shall be among the factors considered in determining the amount of leave to be granted.

This leave does not accrue from year to year.

G-7 INFANTS AT WORK

The City of Valley Falls authorizes qualified parents and infants to participate in its Infants at Work Program. A full-time employee may be granted to bring their infants to work until the infant reaches 180 days or 6 months of age.

Definitions

Parents: Full-time, benefits-eligible employees of Commerce who are new mothers or fathers.

Infants: Infant children of full-time, benefits-eligible Commerce employees through their first 180 days after birth.

Adopted infants are included up to 180 days following the actual birth of the adopted infant.

Each parent shall make his or her workstation suitable for the new infant. The new infant shall be located primarily at the parent's workstation during the workday. Each parent will provide the necessary furniture and equipment suitable for the infant's needs. Equipment shall include appropriate, air-tight storage for soiled diapers.

Whether managing a fussy infant at the work station or in the sitting room, the total amount of time away from work duties shall not exceed 30 minutes. A sick infant shall not be brought to work. Nursing mothers will take reasonable measures to ensure privacy and respect coworkers. Employees are reminded that infants are not allowed as passengers in city vehicles.

Each parent shall designate two alternative care providers in the workplace. The alternative care providers will be employees who voluntarily agree to care for the infant in the event the parent is unavailable due to attendance at a meeting, participating in a telephone conference call, or a similar work responsibility. The alternative care provider may not simultaneously participate in the program as a parent bringing his or her infant to work and as an alternative care provider for another parent's child.

Any complaints regarding a program participant shall be made in writing, signed by the person(s) making the complaint, and submitted to the parent's supervisor. Any properly submitted complaint shall be reviewed by the supervisor and discussed with the person(s) making the complaint. The supervisor shall provide a copy of the complaint to the parent and discuss it with the parent, determining how to resolve the complaint.

G-8 BREASTFEEDING

For up to one year after the child's birth, any employee who is breastfeeding her child will be provided reasonable break times to express breast milk. The City will designate a private location at each City facility which is not a restroom for this purpose. Please check with your Department Head for this information. The City will provide a small refrigerator reserved for the specific storage of breast milk. Any breast milk stored in the refrigerator must be labeled with the name of the employee and the date of expressing the breast milk. Any nonconforming products stored in the refrigerator may be disposed of. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage, refrigeration, and tampering. Nursing mothers wishing to use this room must request/reserve the room by contacting City Administrator.

Additional rules for use of the room and refrigerator storage are posted in the room. Employees who work offsite or in other locations will be accommodated with a private area as necessary. Breaks of more than 30 minutes in length will be unpaid or the employee may use accrued leave.

G-9 FAMILY AND MEDICAL LEAVE ACT (FMLA) / LEAVE WITHOUT PAY

Upon request, any eligible employee as defined by FMLA, will be granted up to 12 weeks of unpaid Family and Medical Leave during any 12-month period. Such leave will be available for the employee's own serious health condition, as the result of the birth, adoption, or placement of a child for foster care, to care for a spouse, child or parent with a serious health condition. Any accrued PTO and any accumulated compensatory time will run concurrent to FMLA leave periods.

Eligibility: To be eligible for FMLA leave, an employee must have worked for the city at least 12 months and for a minimum of 1,250 hours during the previous year. Where leave is requested as a result of a serious health condition, the employee will provide the City a certification statement issued by a health care provider. Should there be a question of validity of the certification provided by the employee the City may, at its own expense, require an opinion from a second health care provider. Where there is a conflict between the two opinions, the City may pay for the opinion of a third provider. The opinion of the third provider is binding on both the employee and employer.

Restoration: An employee returning from Family Leave will be entitled to return to their position if it is still available or to a position with equivalent benefits, pay and other terms and conditions of employment.

Vacation and PTO: An employee while on paid PTO, vacation leave, or other leave with pay shall continue to earn credit for PTO and vacation leave. An employee shall earn no leave credit while on leave without pay.

Health Insurance Coverage: The City will continue to provide health care coverage under the same provisions as prior to the leave. The employee will be responsible for his or her share of the premium. Where the employee fails to return from leave, the City can recover the premium(s) that have been paid on behalf of the employee to maintain health care coverage. If failure to return to work is due to the continuation, recurrence, or onset of a serious health condition beyond the employee's control, the employee will not be liable for health care premiums paid while on family leave. In such cases, a certification issued by a health care provider will be required.

Reporting Requirements: Employees on leave status will be required to report their status on a weekly basis. The employee's estimated date of return to work will be communicated to the appropriate supervisor as far in advance as practical so that scheduling can be facilitated. Supervisors will communicate with employees during the leave to determine the employee's intention to return to work, and they should be informed immediately if the medical condition changes or the employee states that he or she will not be returning to work.

Reduced Or Intermittent Leave: The employee and the City of Valley Falls may work out an agreement by which leave may be taken intermittently or on a reduced leave schedule. While this would not reduce the employee's twelve-week entitlement for the full-year period, it would enable the employee to spread the leave over a long period of time.

Employees who take intermittent leave may be transferred to another position that would better accommodate a part-time schedule. They would receive equivalent pay and benefits during the temporary transfer.

Reduction of Force: Employees who are on a family or medical leave during a layoff will be treated exactly the same way as they would have been treated if they were not on leave. They will not be given preferential treatment because of the leave nor will it be held against them in the layoff selection. They will be recalled to work in the same order, as they would have been under normal circumstances.

Medical Certification Requirements: Employees must provide certification explaining their own serious health condition or that of a family member. It should detail the date on which the condition began; the probable duration of the condition; appropriate medical facts regarding the condition; a statement that the employee is needed to care for a spouse, parent or child; a statement that the employee's own health condition makes it impossible for him or her to work.

All employees returning from medical leave caused by their own illness will be required to obtain medical certification from a certified health care provider that the employee is able to resume work.

G-10 MILITARY LEAVE

Any City employee who is a member of any Military Reserve Component of the United States Armed Forces or as a member of the National Guard will be allowed a leave of absence for required training or duty. Military Leave is unpaid or the employee can use accrued leave.

At the time of notification by the military, the employee shall submit a written request to take military leave to their Department Head. Prior to granting military leave a copy of the military orders shall be attached to the written request for leave and forwarded to the City Administrator for inclusion in the employee's personnel file.

An employee taking military leave of two (2) weeks or less during a twelve (12) month period will be unpaid during the period of leave but will continue to accrue vacation and PTO credit during the absence. If an employee is on military leave in excess of two (2) weeks, the employee will not earn credit for vacation and PTO in excess of the two weeks. Any holiday falling within the period of military leave will be unpaid. An employee may choose to use accrued vacation leave for their annual active-duty training but are not required to do so.

If an employee desires to keep his/her life and health insurance during the period of military leave, the employee must make arrangements to pay the amount that is regularly deducted from the payroll check when in a paid status. The City will continue to pay the City's share of life and health insurance costs for an employee on military leave of two (2) weeks or less.

An employee returning from military leave shall be reinstated in accordance with the provisions of the Federal Uniform Services Employment and Reemployment Rights Act of 1994, as amended, and the Kansas Military Leave Laws.

G-11 JURY DUTY/ COURT LEAVE

Any permanent full-time or regular part-time employee who is required to serve on a jury, or as a result of official City of Valley Falls duties is required to appear before a court, legislative committee or quasi-judicial body as a witness in response to a subpoena or other directive, shall be allowed authorized leave with pay. The City will pay the employee his or her regular wages, but the employee will endorse over to the City all jury fees received.

Employees may, however, retain any mileage reimbursement they receive. An employee who receives notice of jury duty or witness service must notify his/her supervisor immediately in order that arrangements may be made to cover the position. The City reserves the right to request that an employee who is called for jury be excused if their absence would create a hardship on the operation effectiveness of the department to which they are assigned.

Time away will not affect employee benefits. Employees are expected to return to work promptly following jury/court duty. Employees who appear in court as the plaintiff or defendant in any action not related to their official duties shall not be paid for time away from work. Employees may choose to use accrued leave.

G-12 DOMESTIC VIOLENCE AND SEXUAL ASSAULT LEAVE

The City will not discharge, or in any manner discriminate against, an employee who is a victim of domestic violence or sexual assault and who takes time off from work to obtain relief, including restraining orders and other injunctive relief. The employee must be permitted time off to seek medical attention, obtain services from domestic violence programs, or make court appearances related to domestic violence. The employee must give advance notice when feasible. Employee must also provide to the City certain documentation such as a copy of the police report or restraining order within 48 hours of returning from requested time off. The employee may use accrued paid leave or, if paid leave is unavailable to the employee, up to 8 days per calendar year of unpaid leave for these purposes.

Any employee found guilty of Domestic Violence or Sexual Assault by a court of law will be immediately terminated from the City of Valley Falls.

Section H. Travel and Training

H-1 PROCEDURES

To provide a fair and equitable policy pertaining to travel by employees necessary for the conduct of their particular assignments, the City of Valley Falls establishes the following policy and procedure for work related travel by employees. All travel related expenses shall be kept at a minimum.

H-2 MEETING, SEMINAR, AND EDUCATIONAL ATTENDANCE

Any employee may be granted leave with pay to attend meetings, seminars, and conventions related to the employee's work when such attendance is authorized by the employee's Department Head.

H-3 REIMBURSABLE TRAVEL EXPENSES

Meals: Work-related travel away from home must include an overnight stay or be long enough to require substantial sleep or rest to qualify for cost-of-meal reimbursement. Meal allowance shall be no more than \$50.00 per day and may not include alcoholic beverages. In rare occasions, depending upon the venue of the trip, the City Administrator may approve a higher allowance if needed.

Lodging: The City will incur the cost of hotel rooms and associated fees and taxes only. Movies, phone and other amenities are not coverable. Transportation: City transportation should be used on all business-related trips when possible.

Transportation: If City transportation is not available, approval for other transportation arrangements must be obtained by the City Administrator prior to the trip. Mileage will be paid at the current rate set by the IRS only when employee is required to use his/her own personal vehicle. If a city vehicle is available for transportation and the city employee elects to use a personal vehicle, the city will not reimburse the employee for mileage. The city will incur parking fee at training or lodging locations.

Non-allowable Expenses: Non-allowable expenses of City funds include, but are not limited to, personal expenses on City credit cards, tobacco, alcohol, cannabis or any legal or non-legal drug, in-room movies, souvenirs, entertainment, first class travel accommodations, personal telephone calls, fines or penalties, expenses of a spouse or non-employee, loss or damage to personal property, personal postage, cleaning, barbers, beauty shops, toiletries, etc.

Non-exempt Employees: If a non-exempt employee is required to be out of the city for travel or training for a one-day assignment rather than reporting to the regular work site, that does not involve an overnight stay, all travel time will be consider compensable work time. The City may provide certain employee credit cards for use in paying travel expenses. Employees are encouraged to use a City credit card to limit any out of pocket expenses that they may incur. Misuse of a City credit card may result in disciplinary action, up to and including termination of employment.

H-4 SPECIAL LICENSES AND MEMBERSHIP FEES

The City will annually pay dues and fees to each employee who is required by ordinance, or State and Federal law to be a member of a professional organization, or who must maintain current a particular certification or license as a condition of employment. Payment will be made upon approval by the employee's Department Head.

The City will pay for memberships for employees who belong to professional organizations that promote individual professional growth, competence and effectiveness City employees will be allowed time off with pay to attend local, State and national meetings subject to approval of the City Administrator and the Department Head and budgetary limitations.

Section I. Health and Safety

I-1 WORKPLACE SAFETY

The City recognizes that the health and safety of the employees are essential to the well-being of the City. The supervisor in charge of their department shall be responsible for ensuring that its physical facilities create a safe workplace and that equipment operations do not encourage mishaps.

At all times, employees shall follow the following rules to prevent accidents and injuries:

- All employees shall follow these rules, assist in instituting safe operations, and report unsafe conditions or practices to the appropriate Supervisor.
- The Supervisor shall insist on and enforce compliance with every rule, regulation, and order to ensure facility safety.
- Employees shall be instructed to check that all guards and other protective devices are properly in place and adjusted before using equipment, and shall tag out, promptly report and not use deficient equipment until it is properly guarded.
- All injuries shall be reported promptly to the appropriate supervisor so that arrangements can be made for medical or first aid treatment.
- Immediately report all accidents or injuries to a Department Head or Supervisor.
- Follow all instructions given by the Department Head or Supervisor.
- Ask a Department Head or Supervisor how to safely perform a job if in doubt.
- Refrain from horseplay and practical jokes; they are strictly forbidden.
- Return all equipment to its proper location after use.
- Immediately report all equipment needing maintenance.
- When lifting heavy objects, the larger muscles of the legs instead of the smaller muscles of the back (squat, don't bend over) shall be used.
- Appropriate shoes (safety shoes/slip resistant, when needed) shall be worn.
- Employees shall cleanse thoroughly after handling hazardous substances, and follow special instructions for these materials
- Gasoline and other volatile solvents shall not be used for cleaning purposes.
- No burning, welding, or other source of ignition shall be applied to any enclosed tank or vessel, even if there are some openings, until it has first been determined that no possibility of explosion exists, and written authority for the work is obtained from the appropriate supervisor.
- No loose jewelry is to be worn without being tucked in. Hoop earrings or other forms of facial jewelry are prohibited in maintenance shop. Long hair must be pulled back or put up.

I-2 REPORTING SAFETY ISSUES

All accidents, injuries, damage to City property, potential safety hazards, safety suggestions and health and safety related issues must be reported immediately to a supervisor or Department Head. If an employee is injured, outside emergency response agencies should be contacted if needed. All accidents or injuries requiring medical treatment must be immediately reported to the City Administrator. Regardless of whether medical treatment is received a Report of Accident Form must be completed in case medical treatment is needed later and to ensure that any existing safety hazards are corrected. A copy of this form is attached to this policy manual (Appendix C). Any time an employee is injured or City property is damaged the employee injured and/or causing the damage will be subject to a mandatory drug screening. The Department Head or designee shall be responsible to take the employee to the Designated provider's office. Contact the City Administrator to arrange for an appointment. Failure to comply with this policy may result in immediate disciplinary action, up to and including termination of employment.

I-3 EMERGENCY PROCEDURES

It is important that employees read and understand the emergency and fire procedures for their work areas. Employees should acquaint themselves with the location of and the instructions for operating fire extinguishers, as well as the procedures for severe weather. In the event of an emergency, employees should talk quietly, remain calm and refrain from engaging in activity such as shouting or running. Department Heads shall be required to ensure that all new employees receive an overview of emergency procedures upon being employed. All other employees will receive an annual review and ongoing safety training.

I-4 IN CASE OF FIRE

In the event of a fire, remain calm and follow the procedures listed below:

1. Call 911. Activate the nearest fire alarm.
2. Do not place yourself in jeopardy.
3. Do as much as possible to extinguish a small fire with an extinguisher.
4. Do not use water on an electrical or grease fire.
5. Never enter a smoke-filled room or open a door that is hot to the touch.
6. Keep yourself between the fire and the nearest exit.

I-5 FIRST AID, AED, AND SAFETY INFORMATION

All City Employees should have first aid training and ideally have a valid First Aid Certificate.

1. First Aid Certification should be renewed every two (2) years and should include cardiopulmonary resuscitation (CPR) training and the use of AED (where available).
2. First Aid kits should be located in all city work facility locations.
3. Department Heads are required to ensure first aid kits are properly maintained and stocked.
4. Safety posters should be conspicuously posted for the purpose of employee education and as reminders of the importance of safety issues.

Section J. General Policies and Procedures

J-1 LOBBYING BEFORE GOVERNMENTAL UNITS

In order to assure the official policies of the City are expressed during appearances before legislative bodies or other governmental agencies, the following policies will apply:

- a. All testimony or statement, written or oral, given by an employee of the City acting on behalf of the City before any governmental legislative body or other governmental agency shall strictly comply with the policies set forth by the Governing Body by the way of a motion, resolution, or ordinance.
- b. When there is a lack of formal action by the Governing Body, written authorization must be obtained from the City Administrator prior to any lobby activity by any employee of the City on behalf of the City.
- c. The policies expressed in items a. and b. shall also apply to any correspondence written on City or departmental stationery, e-mail communications from City accounts, social media content representing the City, and to any verbal conversation when the speaker represents himself or herself as an employee of the City.
- d. Any employee lobbying for the City before the State legislature will file reports as required by law.
- e. A violation of this policy could result in disciplinary action.

J-2 POLITICAL ACTIVITY

Every employee has the right to register and vote on all political issues. Employees are permitted to join political organizations, civic associations, or groups and to become involved in political activities subject to the restrictions of this article.

As private citizens, employees may participate in all political activities, including holding public office, except for activities where holding an appointive or elective public office is incompatible with the employee's city employment.

City of Valley Falls employees are not prohibited from supporting candidates for office nor from contributing labor to candidates and organizations that endorse candidates.

Any employee desiring to become a candidate for city elective office shall first take a leave without pay or resign. Should an employee on leave without pay be unsuccessful in seeking such elective office, the employee shall be returned to employment on the same terms and conditions as any other employee who has taken leave without pay. The employee that is considered to be a candidate must take the leave without pay or resign once all statutory requirements have been met to qualify as a candidate.

Political activity must not interfere with job attendance or performance. Employees are not permitted to solicit or receive political contributions in city elections.

No person in authority shall solicit any city employee for contributions of money or labor for any candidate for elective office, or otherwise compel, or attempt to compel, any employee to support a candidate elective office or to engage in any political activity.

The purpose of this policy is to prevent and avoid the appearance of impropriety on the part of any city employee. City employees are neither appointed to, nor retained in, the city's service on the basis of their political affiliations or activities.

No officer or employee of the City of Valley Falls shall, while on duty during an assigned work shift:

1. Request or solicit contributions or anything of value for any political candidate or cause. Participate in any political campaign by:
 - a. Speaking in favor of any candidate or cause.
 - b. Distributing literature.
 - c. Picketing or demonstrating on behalf of, or in opposition to, any political candidate or cause.
2. Organize, plan or in any other way participate in the administration of any political campaign.
3. No officer, employee or volunteer shall, while on duty and/or in the uniform of the City, or while in or operating any City vehicle, equipment, display any badge, button, sign or sticker promoting or opposing any political cause or candidate.

4. No officer or employee of the City shall use public funds, property, or any other instrumentality or thing of value belonging to the City to promote or oppose any political cause or candidate.
5. No officer or employee of the City shall use his or her office for the purpose of, or with the effect of:
 - a. Coercing or intimidating any City employee or employees with respect to contributing to, opposing or promoting, or refraining from contributing to, opposing or promoting any political cause or candidate.
 - b. A City employee whose position is funded totally or primarily with Federal funds shall be governed by the rules established by the United States Civil Service Commission or the Office of Personnel Management.
 - c. Obtaining a benefit as a result of any political activity by intentionally committing an unauthorized act or by refraining from performing a duty imposed upon him or her by law.
 - d. No officer or employee of the City shall engage in any political activity that is prohibited by State or Federal law. Any person engaging in such an activity shall be subject to disciplinary action, including immediate discharge. Illegal activity prohibited by State law includes the following activities:
 - Engaging electioneering, circulating cards or handbills, soliciting signatures, interfering with voting or the administration of the polling place, including conducting an exit or public opinion poll within 300 feet of a polling place.
 - Obstructing or preventing access to a polling place.
 - Removing a ballot from a polling place or soliciting a voter to show his or her ballot.
 - Attempting to intimidate, influence or bribe a voter by menace or corrupt means.
 - Hindering, disturbing, persuading, threatening or intimidating any person from casting his or her vote.
 - Knowingly and willfully making a false assertion or propagating a false report concerning a candidate, which has a tendency to prevent his or her election.
 - Giving a bribe or something of value to secure a vote or solicit a bribe, or offer any preference or other valuable consideration to give or refuse a vote.

J-3 PERSONAL APPEARANCE

Each employee's dress, grooming, personal hygiene and appearance should be appropriate to the work situation. The following guidelines should be observed:

1. Employees shall present a professional, businesslike image to customers and the public. Acceptable personal appearance is an on-going requirement of City employment. Radical departures from community norms of conventional dress or personal grooming and hygiene are not permitted.
2. Employees working in an office and any employee having regular day-to-day contact with the public in the performance of their job are expected to dress in a manner normally acceptable in similar business establishments within the community.
3. Employees who do not regularly meet the public are provided City uniforms and should appear as clean and neat as circumstances permit. Department Heads will be responsible for oversight of the appearance of those employees working under their direction.
4. An employee not meeting the standard of this policy will be required to take corrective action, which may include leaving the work premises or work site. Employees will not be compensated for any work time missed because of failure to comply with this policy.

J-4 TOBACCO/ NICOTINE POLICY

It is the policy of the City to comply with all applicable Federal, State and local regulations regarding tobacco and nicotine products in the workplace and to provide an environment that promotes productivity and the well-being of its employees. Smoke or smoking as used in this policy shall mean and include the smoking or carrying of any kind of cigarette, cigar, lighted pipe, e-cigarette, or vape. The following policy guidelines shall be observed:

1. Smoking products as defined above shall not be used in any City building.
2. Employees are expected to exercise common courtesy and to respect the needs, health, and sensitivities of co-workers with regard to smoking. Smoking shall be limited to time on work breaks and not while working. Smokers should keep smoking areas free from litter and cigarette butts and not abuse work break periods in order to smoke. The City does not discriminate against individuals on the basis of their use of legal tobacco products as long as the use of those products does not adversely affect the employee's job performance.

3. No person should use tobacco or nicotine products in a way that would damage, soil, stench, ruin, or leave a permanent odor in City vehicles or buildings.
4. Those employees who smoke and would like to take this opportunity to quit are invited to call the free Kansas Tobacco Quitline (1-800-QUIT-NOW) for telephone cessation counseling and support.
5. The success of this policy will depend on the thoughtfulness, consideration, and cooperation of both smokers and nonsmokers. All employees share in the responsibility for adhering to and enforcing this policy.
6. Appropriate disciplinary action will be taken against any violations of this policy.

J-5 CONTRIBUTION AND HONORARIUMS

Speeches and presentations related to City services delivered by City employees to community and professional organizations are made without charge. If an organization wishes to give an honorarium or contribution for such a presentation, the remuneration must be made to the City and not the individual employee.

An honorarium or contribution for a speech or other presentation made by a City employee to a group outside the City, either during working time or for which the City provided travel expenses will also be made to the City.

J-6 ETHICS AND CONFLICTS OF INTEREST

Conflicts of Interest: No City employee shall engage in any act that is in conflict, or creates an appearance of unfairness or conflict, with the performance of official duties. An employee shall be deemed to have a conflict if the employee;

1. Has a financial interest in any purchase by the City of property, goods or services when the employee has prior knowledge that the City intended to purchase the property, goods or services.
2. Solicits, accepts or seeks a gift, gratuity or favor from any person, firm or corporation involved in a contract or transaction which is or may be the subject of official action by the City.
3. Participates in his or her capacity as a City employee in the issuing of a purchase order or contract in which he or she has a private pecuniary interest, directly or indirectly, or performs in regard to such contract some function requiring the exercise of discretion on behalf of the City.
4. Engages in, accepts employment from, or renders services for private interest for any compensation or consideration having monetary value when such employment or service is incompatible with the proper discharge of official duties or would tend to impair independence of judgment or action in performance of official duties, or give the appearance of the above. An employee should not make a unilateral decision if there is any doubt about his or her private employment. The City Administrator should be consulted.
5. Except for courtesies and as noted below, no employee shall, directly or indirectly, give or receive, or agree to receive any compensation, gift, reward, commission or gratuity for any source except the City for any matter directly connected with or related to the official service as an employee of the City.
6. Has a financial interest or personal interest in any legislation coming before the Governing Body and participates in discussion with, or gives an official opinion to, the Governing Body unless the employee discloses on the record of the Governing Body the nature and extent of such interest.
7. Use of Public Property: No employee of the City shall request, use or permit the use of City-owned vehicles, equipment, materials or other property for unauthorized personal convenience, for profit, for private use, or as a part of secondary employment. Use of such City property is to be restricted to such services as are available to the City generally and for the conduct of official city business.
8. Political Activities: No City employee may use City time or property in any manner to promote any political activity, issue or candidate, or to solicit funds for any political purpose or to influence the outcome of any election.

Recognizing that personal friendships often precede and can evolve from official contact between employees and persons engaged in business with the City, reasonable exceptions to this section are permitted for those occasions that are social in nature and are not predicated on the employee's ability to influence, directly or indirectly, any matter before the City.

Employees will be guided in interpretation of this section by the distinction between a gift, gratuity or favor given or received that has significant monetary value and is offered or accepted in expectation of preferential treatment, and an expression of courtesy. Examples of acceptable courtesies, include: a meal or social event, exchanges of

floral offerings or gifts of food to commemorate events such as illness, death, birth, holidays or promotions; a sample or promotional gift of nominal value of \$25.00 (twenty-five) dollars or less.

Any employee who is found to be in violation of this policy may be subject to disciplinary action up to and including discharge from employment. Depending upon the seriousness of the action, other appropriate civil or criminal sanctions may also be pursued

J-7 VISITORS IN THE WORK PLACE

To provide for the safety and security of visitors, employees and the facilities of the City, only authorized visitors are permitted inside the workplace. Restricting unauthorized visitors assists the City with maintaining safety standards, protects against theft, assures security of equipment, helps secure confidential information, preserves employee welfare and avoids potential disruptions and intrusions.

Typically, visitors should enter City premises at the main lobby of each respective facility. Authorized visitors will receive directions or be escorted to their destination. Employees are responsible for the conduct and safety of visitors.

If an unauthorized individual is observed on City Premises, employees should immediately notify their Supervisor or, if necessary, direct the individual to the lobby.

J-8 DRUG AND ALCOHOL POLICY

Any location in which the City of Valley Falls conducts business, whether on or off City property, is declared a drug free work place. Employees are prohibited from unlawfully possessing, distributing, manufacturing or dispensing controlled substances in the workplace. Included are all City facilities, vehicles, equipment, or work sites. Any employee or employees violating this policy may be terminated on the first offense.

City employees may be required to submit to a medical examination to determine fitness for duty. Such examinations will be scheduled at reasonable times and intervals and performed at City expense. The City may also require alcohol or drug testing at any time an employee is on duty where there is a reasonable suspicion of drug or alcohol use on duty or gives the appearance of alcohol intoxication or impairment by drugs when reporting to duty.

The use of alcohol or drugs by City employees in City facilities, vehicles, equipment or work sites is prohibited. Where there is a reasonable suspicion an employee is under the influence of alcohol or drugs, the employee will immediately be required to undergo alcohol and/or drug testing to determine if the employee is under the influence of drugs or alcohol while involved in City work or at a City work place or job site. Employee refusal to participate in such testing will be subject to disciplinary action, including termination.

The City reserves the right to offer employees convicted of violating a criminal drug statute outside of the workplace participation in an approved rehabilitation or drug abuse assistance program as an alternative to termination. If such an offer is accepted by the employee, the employee must satisfactorily participate in the program as a condition of continued employment. Employees determined to have a recurring and/or a habitual substance abuse problem will be required to participate in a rehabilitation program as a condition of continued employment with the City of Valley Falls. The city and the employee will work together for the rehabilitation of the employee utilizing available resources and allowing the employee's use of sick leave and vacation leave accruals toward time off for approved rehabilitation treatment. An employee who does not complete the prescribed rehabilitation program or who refuses to participate in the rehabilitation program will be subject to appropriate disciplinary action should the employee continue to have a substance abuse problem.

As a condition of employment, the City may require an individual offered employment in a Safety Sensitive Position to take and pass a drug test as a condition of employment. In addition, drug/alcohol testing may be required in any of the following situations:

1. Random, suspicionless Drug/Alcohol Testing of Employees in Safety Sensitive Positions. Special needs exist with respect to drug/alcohol testing of an employee employed in a Safety Sensitive Position because of the potential risks of injury to others inherent in the nature of such position. The City's interest in

testing employees to ensure they are drug and alcohol-free in carrying out the essential functions of a Safety Sensitive Position in an effort to minimize the potential risks of injury to others outweighs the employee's privacy interests. As such, the City may conduct random, suspicionless drug/alcohol testing of any employee employed in a Safety Sensitive Position.

2. In situations in which the Governing Body or the City Administrator has determined there is reasonable suspicion to believe an employee has used a controlled substance or has consumed alcoholic beverage in violation of city policy, the employee will be taken to the doctor or hospital where an appropriate test(s) will be taken to determine the extent of impairment. Should the employee refuse to submit to the "reasonable suspicion" testing, the employee shall be considered as being in insubordination and subject to disciplinary action and possible termination. If the results of the initial drug-screening test are inconclusive, a second more specific test shall be performed on the sample. Should the results of the second test be positive, the employee shall be required to participate in a drug rehabilitation program, and may be subject to disciplinary action. All costs for the physical examination and any testing shall be borne by the City of Valley Falls.
3. Where Reasonable Suspicion Exists. If a supervisor has reasonable suspicion to suspect an employee is under the influence of a Prohibited Substance, the employee may be required to submit to a drug/alcohol test. A supervisor shall be deemed to have reasonable suspicion to order an employee to submit to a drug/alcohol test, if, among other things, the employee:
 - a. Appears to be under the influence of a Prohibited Substance while on duty or on City premises;
 - b. Is found to be in possession of a Prohibited Substance or drug paraphernalia while on the job or on the premises of the City, without prior knowledge and approval;
 - c. Possesses unauthorized Prohibited Substances in the employee's immediate work area;
 - d. Is using a Prohibited Substance while on duty or on the premises of the City;
 - e. Tampers with a drug/alcohol test; or
 - f. Sells, solicits, and/or transfers a Prohibited Substance while on the job, while on City property, or while operating a City vehicle, machinery, or equipment.
4. Post-Accident. The City may conduct drug/alcohol testing in investigating accidents in the workplace in which the accident resulted in:
 - a. An injury to a person for which injury, if suffered by an employee, a record or report could be required under state or federal occupational safety laws or regulations (including workers compensation laws) and the injury requires professional medical care in the opinion of yourself or your supervisor; or
 - b. Damage to property (including equipment).
5. When Returning to Employment Upon Completion of Rehabilitation, the City may conduct drug/alcohol testing of employees during and after completion of drug or alcohol rehabilitation for a stated period. This subsection will not be construed to limit the City's ability to terminate employees convicted of violating a criminal drug statute.
6. Other. The City may conduct drug or alcohol testing as required by federal law or regulation or by law enforcement.

Employees determined to have a recurring and/or a habitual substance abuse problem will be required to participate in a rehabilitation program as a condition of continued employment with the City of Valley Falls. The city and the employee will work together for the rehabilitation of the employee utilizing available resources and allowing the employee's use of sick leave and vacation leave accruals toward time off for approved rehabilitation treatment. An employee who does not complete the prescribed rehabilitation program or who refuses to participate in the rehabilitation program will be subject to appropriate disciplinary action should the employee continue to have a substance abuse problem.

Disciplinary Actions Related to Substance Abuse

Disciplinary action shall at all times be appropriate to the infraction committed and generally progressive in nature. Some conduct may be serious enough to warrant more serious discipline without progression. Actions, which may be considered to warrant disciplinary actions, are possession of illegal drugs or being under the influence of illegal drugs while on duty for the City of Valley Falls.

Any city employee who is arrested for a violation of law may be suspended without pay at the discretion of the Governing Body until such time as the court renders judgement.

The following actions shall be taken following the court's decision:

- 1.) CONVICTION OF A FELONY – The employee shall be terminated.
- 2.) CHARGES WITH A FELONY AND A DIVERSION PROGRAM IS APPROVED – Reinstatement is at the discretion of the Governing Body, with the exception of a police officer who is automatically terminated. No back pay, accumulated leave, retirement contributions or other privileges shall be given upon reinstatement for a period of suspension.
- 3.) CONVICTION OF A MISDEMEANOR – Reinstatement is at the discretion of the Governing Body. No back pay, accumulated leave, retirement contributions or other privileges shall be given upon reinstatement.
- 4.) FOUND NOT GUILTY AND RELEASED BY THE COURT – The employee will be reinstated with back pay and privileges, if suspended. Back pay will be for regular wages only and accumulated sick and vacation leave will be credited.
- 5.) CHARGES DROPPED – The employee will be reinstated with back pay and privileges, if the employee had been suspended. Back pay shall be on regular wages only and accumulated sick and vacation leave will be credited.

J-9 HARASSMENT POLICY

Policy Overview

It is the policy of the City of Valley Falls to maintain a work environment free of intimidation, insult and harassment based on race, religion, gender, age, national origin, ancestry, sexual orientation, or disability. The City is also opposed to any vendor, client or customer harassing any employee on any such basis. To assure this policy is adhered to, the City will not tolerate the harassment of any of its employees, and will take timely and appropriate action when such behavior should occur.

Harassment Defined

Harassment is a form of discrimination and is an unlawful employment practice under Title VII of the 1964 Civil Rights Act and is the City policy. Such discrimination is illegal and violates City policy when it is used to make employment decisions such as hiring, termination, wages, promotion or job assignment; when it interferes with the employee's work performance; or when it creates an intimidating, hostile, offensive work environment.

Sexual Harassment Defined

1. Sexual harassment is the threat or insinuation by one employee or group of employees, either explicitly or implicitly, that his or her refusal to submit to sexual advances will adversely affect his or her employment, evaluation, wages, advancement, assigned duties, shifts, or any other condition of employment or career.
2. The subjecting of an employee, by another employee or non-employee, to unsolicited and unwelcome sexual overtures or conduct, either verbal or physical, so as to create an intimidating, hostile, or offensive working environment.

Policy

1. No employee or non-employee may harass an employee of the City.
2. Any employee who believes that he or she is the victim of harassment shall immediately report the incident(s) to any level of supervision.
3. All complaints involving claims of harassment shall be promptly and confidentially investigated to the greatest extent possible. The employee making the complaint shall be advised of the results of the investigation.
4. Any employee found to have engaged in the harassment of another employee will be disciplined, up to and including termination.
5. Any non-employee or vendor that is found to have engaged in the harassment of an employee will be sanctioned appropriately.
6. Employees have the right to make a claim of harassment without fear of retaliation from Supervisors or co-workers.

Complaint Procedure

Any employee who feels he or she is being subjected to harassment should immediately contact one of the persons listed below with whom the employee feels most comfortable. Complaints may be made verbally or in writing to the employee's immediate Supervisor, the employee's Department Head, the City Administrator, or to the Mayor (if

the accused harasser is the City Administrator). The employee should be prepared to provide the following information:

1. Employee's name, department and position title.
2. The name of the person(s) committing the harassment.
3. The date(s), place(s), and approximate time(s) of the harassment.
4. The specific nature of the harassment, how long it has gone on, and any employment action (demotion, failure to promote, dismissal, refusal to hire, transfer, etc.) taken against the employee as the result of the harassment, or any threats made to the employee as the result of the harassment.
5. Witnesses to the harassment, if any.
6. Whether the employee has previously reported such harassment and, if so, when and to whom.

After receiving a harassment complaint, the recipient of the complaint shall assist the complainant with documenting the incident in writing and the complainant shall affix his or her signature attesting to the accuracy and truthfulness of the complaint. All information disclosed in the complaint procedure will be held in strictest confidence and will only be disclosed on a need to know basis in order to investigate and resolve the matter.

Review of the Harassment Complaint

It shall be the responsibility of the City Administrator to coordinate the investigation and review the harassment complaints. The City Administrator may delegate the investigation to the appropriate City employee. If the City Administrator is the subject of the complaint, the Mayor shall coordinate the investigation of the complaint. The following procedure shall apply to the receipt, review and handling of such complaints.

1. The person to whom the complaint is made shall immediately inform their Supervisor, and he or she shall immediately present it to the City Administrator.
2. An investigation into the alleged incident shall be promptly started.
3. The investigator shall document and keep appropriate records of the investigation.
4. The investigator shall notify the employee accused of the harassment as promptly as possible of the complaint and the severity of the allegations. (Immediate notification is not necessary if such notification would jeopardize the investigation.)
5. The employee accused of the harassment shall be given reasonable opportunity to respond to the allegation and to present information and/or witnesses on his or her behalf.
6. Based upon the investigation report, the City Administrator shall determine whether the conduct of the person against whom a complaint of harassment has been made constitutes harassment. In making that 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, if any, occurred.
7. If the City Administrator determines that the complaint of harassment is founded, immediate and appropriate action against the person guilty of harassment shall be taken.
8. When the guilty party is a city employee, the action shall be consistent with the nature and severity of the offense, whether a Supervisory relationship exists, and any other factor the City Administrator believes relates to fair and efficient administration of the City. These include the effect of the offense on employee morale, public perception of the offense, and the light in which it cast the City. The action may include a warning, demotion, suspension or termination. A determination of the level of action will be made on a case-by-case basis.
9. If it is determined that the complaint of harassment is unfounded, the accused party will be notified of the determination and no action is warranted.
10. If the City Administrator determines after reviewing the investigation report the complaint was intentionally falsified by the employee filing the complaint, the City Administrator shall take immediate and appropriate disciplinary action against said employee.
11. When the guilty party is an outside vendor or private citizen, the City shall sanction the person or organization. This can include a warning, refusal of the City to do further business with the offender, or legal/criminal action taken against the offender.
12. Following completion of the investigation, the City Administrator shall notify the complainant and the accused as to the outcome of the investigation. The notification shall be in writing and a copy filed in the personnel's folder. The notification shall specify that the complaint was sustained, not sustained or unfounded.

Records of a Harassment Complaint

All records, except those affected by the Kansas Open Records Act, concerning a harassment complaint shall be confidential and kept in a separate locked file. Access shall be granted only with the City Administrator's approval, with the advice of legal counsel, to parties who have a direct and relevant need to know. The offender or victim may have legal/criminal recourse and can seek appropriate advice. Nothing in this policy shall preclude the claimant from contacting one or both of the following:

Kansas Human Rights Commission
900 SW Jackson, Suite 851-South
Topeka KS 66612-1258
(785) 296-3206

Federal Equal Employment Opportunity Commission
400 State Ave.
Kansas City KS 66101
(800) 669-4000

J-10 WORKPLACE VIOLENCE

The City, as employer, will not tolerate any acts of violence to persons or property. All acts of violence are treated seriously. Any act will be dealt with promptly and appropriately using administrative, managerial, legal, disciplinary and law enforcement actions if necessary to minimize risk to employees, customers and property. Threats include, but are not limited to, threats made by telephone, electronic devices, conventional mail or any other communication medium.

Persons committing any threat or acts of violence toward City employees or City property should be handled through law enforcement and the criminal justice system.

J-11 WHISTLEBLOWER POLICY

Application. This whistleblower protection policy applies to all City employees, volunteers, and other individuals providing contract services.

Reporting Credible Information. A protected person shall be encouraged to report information relating to illegal practices or violations of policies of the City. That such person in good faith has reasonable cause to believe is credible. Information shall be reported to any of the following: any Department Head, the City Administrator or any Governing Body Member. When deciding who to report the concern to, individuals should start with their direct supervisor unless the concern involves someone in the individual's chain of command. If the concern involves someone in the individual's chain of command, the concerns should be reported to the next level of command the individual deems appropriate. Anyone reporting a violation must act in good faith and have reasonable grounds for believing that the information shared in the report indicates that a violation has occurred. Individuals reporting false information are subject to disciplinary actions up to termination. Anyone reporting a violation must act in good faith and have reasonable grounds for believing that the information shared in the report indicates that a violation has occurred. Individuals reporting false information are subject to disciplinary actions up to termination.

Investigating Information. The City Administrator shall promptly investigate each such report and prepare a report for the City Attorney. If the City Administrator, or any member of the governing body is the subject of the complaint, the City shall hire an independent third-party investigator to investigate the complaint. The third-party investigator shall provide the report to the City Attorney who shall review the report and discuss it with necessary parties.

Confidentiality. The organization encourages anyone reporting a violation to identify himself or herself when making a report in order to facilitate the investigation of the violation. All information disclosed in the complaint procedure will be held in strictest confidence and will be disclosed only on a need-to-know basis in order to investigate and resolve the matter.

Protection from Retaliation. No person entitled to protection shall be subjected to retaliation, intimidation, harassment, or other adverse action for reporting information in accordance with this policy. Any person entitled to protection who believes that he or she is the subject of any form of retaliation for such participation should immediately report the same as a violation of and in accordance with this policy. Any individual within the City who retaliates against another individual who has reported a violation in good faith or who, in good faith, has cooperated in the investigation of a violation is subject to discipline, including termination of employment or volunteer status.

J-12 TELECOMMUNICATIONS POLICY

The City's e-mail, computer, internet, and voicemail systems are City property. These systems are in place to facilitate the employee's ability to do his/her job efficiently and productively. To that end, these systems are solely for City purposes, and abuse of these systems for personal use is prohibited. The City may intercept, monitor, copy, review, and download any communications or files employees create or maintain on the systems. When using the internet, exercise discretion. Sending materials of a sensitive nature or materials constituting "confidential information" is prohibited unless the information is properly encrypted to prevent interception by third parties. Employees have no expectation of privacy while accessing social media at work or on City-owned equipment.

Employee communications and use of City e-mail, computer, internet, and voicemail systems will be held to the same standard as all other business communications, including compliance with anti-discrimination and anti-harassment policies. It is expected that employees will use good judgment in the use of the City's system. Management should be notified of unsolicited, offensive materials received by any employee on any of these systems.

Any City business performed on an employee's personal device is subject to the Kansas Open Records Act. If the information requested is on an employee's personal device, the employee agrees to participate in fulfilling the records request. If the employee refuses to provide the requested data, the employee may be subject to discipline up to and including termination.

J-13 SOCIAL MEDIA POLICY

Purpose. The City of Valley Falls 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 technology evolves, the City has expanded 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. This policy provides guidance for the public relations of City Social Media pages and for employee use of social media, which should be broadly understood for purposes of this policy to include blogs, photo and video sharing, wikis, microblogs, podcasts, message boards, chatrooms, electronic newsletter, online forums, social networking sites, mashups, virtual worlds and other sites and services that permit users to share information with others in a contemporaneous manner. It is extremely important that the City of Valley Falls 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 the City of Valley Falls' policies, services, or values.

The City Administrator 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 Administrator. Once approved, the Department Head will meet with the City Administrator to establish the social media account. The City Administrator must be added as an Administrator and/or have the username and password covering each site. This allows access for all Department Heads to examine all City pages if necessary.

Policy for Public Relations on City Pages

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 Telecommunications Policy (J-11) contained in the City of Valley Falls Employee Handbook.
2. Departments that use social media are responsible for complying with applicable federal, state, and local laws, regulations and policies. This includes adherence to established laws and policies regarding copyright, records retention, Freedom of Information Act (FOIA), the Kansas Open Meetings Act, the First Amendment, HIPAA, privacy laws, and information security policies established by the City of Valley Falls.
3. Whenever 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 Valley Falls Employee Handbook and the Telecommunications Policy.

5. Employees shall have no expectation of privacy when using social media sites. With that, employees are not to publish, post or release any information that is considered confidential or not public. This includes both city sites and personal sites. City employees should remember that even on personal accounts, they are considered a representative of the City of Valley Falls.
6. 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.
7. Each site that represents and/or contains City of Valley Falls material, department information, attraction information, etc. shall remain Valley Falls property even if the employee who developed it is no longer an employee. That employee will be removed from the site on the day of termination or before if necessary.
8. Violations of these standards may result in the removal of department pages and/or personal administrative rights from social media outlets. Social media networks, blogs and other types of on line content sometimes generate press and media attention or legal questions. Employees should refer these inquiries to both Supervisor and City Administrator for documentation purposes.
9. If and when an employee uses Social Media to communicate on behalf of the City of Valley Falls, it will be considered time worked and should be done during regular work hours. If employees encounter a situation while using social media that threatens to become antagonistic, employees should disengage from the dialogue in a polite manner and seek the advice of a supervisor.
10. Employees who are authorized to use social media to promote the City must also fulfill all other duties identified in their job descriptions and should see to it that they are not spending time on personal social media sites while performing the duties of their job related to social media use for the City.
11. If a social media account is created and represents a Department or area of the City, City Administrator must be named an Administrator on the account or proper reports should be made to social media outlets by City Administrator to keep control and manage city information.

Policy for Employees Participating in Social Networking

1. Whether participating on behalf of the City or personally, you should follow the same standards of behavior "online" as you would if "in person" and should be mindful of how your online activities reflect upon you and your position with the City and City organization.
2. You are solely responsible for what you post online. You should consider the risks and rewards, as more and more court cases are appearing due to slander, misrepresentation and copyright infringement.
3. Keep in mind that if any of your conduct adversely affects your job performance, the performance of fellow employees or otherwise adversely affects members, customer's suppliers, people who work on behalf of the City or those who have legitimate business interests, may result in disciplinary action up to and including termination.
4. Do not create a link from your blog, website, or other social networking site to the City website without identifying yourself as a City Employee.
5. The same principles and guidelines found in the City policies and the below three basic beliefs apply to your activities online.

Basic Beliefs for Social Media Use:

1. Know and Follow the Rules: carefully read these guidelines, the City's Ethics Policy, The City's Disciplinary Action, the City's Workplace Conducts Statement, and the City's Sexual Harassment policy. Ensure your postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.
2. Be Respectful: always be fair and courteous to fellow employees, customers or the public, members, suppliers or people who work on behalf of the City. Also, keep in mind that you are more likely to resolve work related complaints by speaking directly with your co-workers or by speaking directly with management rather than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, information, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage customers, members, employees or suppliers, or that might constitute harassment or bullying.
Examples of such conduct might include offensive posts meant to intentionally harm one's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or company policy.

3. Be Honest and Accurate: make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about the City, fellow employees, members, the public, customers, suppliers, and/or people working on behalf of the City or competitors.

Post Only Appropriate Content

Must make it clear that any personal opinions expressed are yours in your individual capacity, not as representatives of the City or otherwise on the City's behalf;

1. If you do publish a post online related to the City, it is best to include a disclaimer such as *"The postings on this site are my own and do not necessarily reflect the views of the City."* It should be noted however that a disclaimer will not prevent an employee from being disciplined if their communication has the effect of violating any City policy.
2. Must not identify other persons, fellow employees, organizations, taxpayers, customers, suppliers or vendors of the City or disclose their personal contact information;
3. Employees who are not otherwise authorized by appropriate City Administration, must never report to be speaking on behalf of the City, or represent their opinions or statements as the policy or view of the City, or that of any City employee in his/her capacity as a representative of the City;
4. Should never provide references for City employees or former employees on social or professional networking sites, as such references, positive and negative, could be attributed to the City and could create legal liability for both the employee, and the City;
5. While the City of Valley Falls encourages its employees to enjoy and make good use of their off-duty time, City employees may be subject to discipline if their activities have the effect of disrupting the functioning or efficiency of the workplace. Activities which are considered disruptive include, but are not limited to: harassing, demeaning, or creating a hostile working environment for any other employee; disrupting the smooth and orderly flow of work within the City; disrupting working relationships, or any action that detrimentally affects the reputation of the City.
6. As an employee of the City, you can be judged by your actions in person and online, please remember that even if your comments don't violate this policy, if they violate other policies, proper disciplines may be necessary.
7. Remember that violations of this policy may result in disciplinary action, up to and including immediate termination.

J-14 CITY VEHICLE POLICY

Policy Overview

City Vehicles and Equipment are the property of the City of Valley Falls and shall be operated solely for the use of the City.

Authority to Use and Licensing Requirements

Only persons employed by the City are authorized to operate any vehicle or equipment owned by the City, and only when authorized by a Department Head or the City Administrator. Any employee operating a City vehicle shall have a valid standard Kansas driver's license or a valid Kansas Commercial Driver's License (CDL). Periodic license checks will be made by the City to ensure all City employees operating City Vehicles possess valid driver's licenses.

Personal Use of City Vehicles

No person is permitted to use a City Vehicle and Equipment for personal use. City vehicles are assigned to specific City Departments and not to be used for personal errands, personal transportation, or non-city purposes. Persons who are not employed by the City of Valley Falls are prohibited from riding in City vehicles unless prior approval has been obtained by either their Department Head or the City Administrator. Employees driving a City vehicle may not pick up hitchhikers at any time.

Tobacco/ Nicotine Products

Please refer to the policy in Section J-4.

Taking Vehicles Home

Emergency personnel may be required to take vehicles home, depending on the requirements of their position. Determination of the requirement to drive a vehicle to and from an employee's work site shall be made by the City Administrator. Any city vehicle driven home by an employee shall not be used for personal use and may be subject to IRS regulations governing taxes and benefits.

Driver Safety Requirements

Employees shall act in a safe and reasonable manner while operating a City vehicle. The following is a list of basic rules to be aware of to avoid accidents or injuries:

1. Do not operate a vehicle while under the influence of alcohol or drugs (see City drug and alcohol policy).
2. Immediately report all accidents and traffic citations to a Department Head and the City Clerk. Do not leave the scene of an accident.
3. Wear a seat belt at all times when the vehicle is in motion. (It is required by law.)
4. Operate the vehicle in accordance with State and local laws.
5. Park the vehicle in a safe, authorized location. Lock doors, remove valuables.
6. DO NOT use cellular phones or other wireless electronic devices in a City vehicle when the vehicle is in motion. This does not apply to devices permanently affixed to the vehicle such as global positioning systems (GPS) or other navigation systems, or communication systems used by emergency or law enforcement services.

Accidents

Employees involved in an accident while operating City vehicles or equipment, or their personal vehicles or equipment while on City business, shall immediately notify their Department Head. The Department Head shall notify the appropriate law enforcement agency if required, and the City Clerk's office. The employee will be scheduled for a mandatory drug screening as soon as possible. See Human Resources to schedule an appointment.

Traffic and Parking Infractions

Employees are responsible for any and all traffic and parking infractions incurred while operating a City vehicle. The City will not reimburse employees for any monetary fines resulting from traffic and parking violations. Employees receiving traffic or parking infractions while operating a City vehicle may be subject to disciplinary action up to and including termination.

J-15 CELL PHONES

City-Issued Cell Phones/Electronic Device

Department Heads are responsible for determining who will be issued a City cellphone/electronic device (device). Employees carrying a City provided device should have no expectation of privacy and all information on the City issued device is property of the City of Valley Falls. Non-exempt employees carrying a City issued device must record the time worked while answering work related calls outside of their normal shift.

The City may decide to offer designated employees a monthly stipend in lieu of issuing a City device. Employees who are allowed to use their own phone and receive the stipend payment acknowledges the fact that their private number will be made public as it relates to their position with the City. The amount will be based on the current cost of a plan on a City-issued cell phone. The stipend will be paid on the first pay period following a previous month's use. Employees starting work on or after the 16th of the month will not be paid a stipend for their first month.

Texting/emailing while driving is strictly prohibited by any City employee when performing any work for or on behalf of the City of Valley Falls.

The City Administrator is in charge of overseeing City issued devices.

Any City business performed on an employee's personal device may be subject to the Kansas Open Records Act. If the information requested is on an employee's personal device, the employee agrees to participate in fulfilling the record's request. If the employee refuses to provide the requested data, the employee may be subject to discipline up to and including termination.

Use of Personal Cell Phones

It is understood that personal cell phones can be used while at work, but such use should be kept to a minimum. Calls on either personal cell phones or city phones shall be handled in such a manner so that they do not interfere with assigned job duties and calls will be handled so that employee safety is not jeopardized at any time. Employees are not permitted to use a cell phone while operating a City Vehicle.

So that the City can communicate with employee's in the event of an emergency, all City employees are required to provide a cell phone number to be included with the City's emergency notification system.

J-16 GUNS OR OTHER WEAPONS

City employees and officials, who are not otherwise prohibited by state or federal law, may carry a concealed handgun, consistent with the Personal and Family Protection Act, as amended, into City buildings, where the carrying of a concealed handgun is allowed under the provisions of state law.

1. Any employee carrying a concealed handgun within a City building pursuant to the provisions of state law must keep the handgun completely concealed, in a proper holster or similar product, with all safety features in place.
2. Storage of Concealed/Carry Firearms: It is the sole responsibility of the employee to maintain firearm and ammunition by ensuring that such firearm is on his/her person and attended at all times.
3. No handgun shall be left unattended or stored in any city facility or building.
4. Employees are also permitted, while on City owned property, to store a firearm within their own vehicle provided that such storage is outside of plain view from the exterior of the vehicle and that the vehicle is locked when the employee is not in the vehicle.
5. Any employee who stores a concealed firearm in a vehicle owned by the City, during the course of employment must store the firearm in a locked case and place the case out of plain view from the exterior of the vehicle expense. The City shall not be responsible for the theft, damage or other loss of a firearm and/or locked case left in a City owned vehicle.
6. With the exception of certified law enforcement officers carrying a weapon in the course of their duties, if an employee chooses to exercise his/her statutory right to concealed carry, the City will not be responsible for any attorney fees resulting from the employee's use of his/her weapon. If the employee chooses to carry a concealed firearm, the firearm must remain on his/her person at all times. Any interruption in the employee's work due to his/her decision to concealed carry may result in disciplinary action up to and including termination. The City expects the employee to comply with all lawful requests from private property owners regarding his or her firearm. Any injury resulting from the concealed carrying of a firearm is considered outside the employee's course and scope of employment and will not be covered by workers compensation.

In the event a City employee or official discharges a firearm while on duty, the Valley Falls Police Department shall investigate the discharge and file a report of the investigation with the Department Head of the City department employing the employee. Based on such report, the Department Head will determine whether it constitutes grounds for disciplinary action, up to and including termination, subject to the procedures outlined in this handbook. The discharge of a firearm while on duty may also result in criminal charges. The City will not cover any attorney's fees or other costs related to any discharge of an employee's personal weapon.

Section K. Conduct and Discipline

K-1 STANDARDS OF CONDUCT AND DISCIPLINE

The City of Valley Falls provides a wide range of critical services to the community. Individuals and businesses are dependent on the quality of those programs and services. All employees are expected to provide excellent and reliable service to the public. Failure to meet a high standard of public service is a cause for concern, discipline, or possible discharge from employment.

The City of Valley Falls generally adheres to the concept of progressive discipline. This means the City will take appropriate action based on the seriousness of the situation and the circumstances. Discipline, less than termination, may take the form of a verbal or written warning, a performance appraisal indicating substandard performance in one or more areas, assignment to a probationary status, or suspension. The options that are chosen, or whether any of them are used prior to termination, depends on the seriousness of the infraction. The evaluation of the seriousness of the offense will be made solely by management.

There are certain kinds of conduct that cannot be permitted to occur because of their impact on citizens, customers, suppliers, or co-workers. Such offenses may result in termination of employment on the first occurrence.

There are certain other actions that should not occur, but normally it is either the repeated occurrence of the action or commission of more than one offense that results in termination of employment. For such action, an employee normally will receive some lesser discipline prior to termination.

K-2 RIGHT TO SEARCH

In pursuit of matters of conduct and discipline, the City of Valley Falls has the right to inspect and search any City property at any time, including but not limited to, electronic equipment (such as computers, telephones, cell phones, recording equipment), lockers, desks, vehicles, clothing or any other City owned property that may be assigned or used by a City employee. Padlocks or combination locks may be cut at no cost to the City during an authorized search. A search can only be done at the direction of the City Administrator or his or her designee.

K-3 AUTHORITY TO DISCIPLINE

Authority is delegated by the City Administrator to Department Heads and supervisors to discipline personnel in their departments for the violation of City personnel rules and department regulations. The City has a progressive discipline policy but recognizes that this is not always possible and each situation that may need disciplinary action depends upon its own factual evidence. Certain serious infractions or misconduct may justify skipping one or more steps, including moving to immediate termination. If steps are to be skipped, there will be consultation with the City Administrator first. Supervisors and Department Heads shall exercise good judgment and discretion in taking or recommending disciplinary action. They shall work to ensure that the extent of the penalty is not unreasonable or excessive in relationship to the seriousness of the violation or circumstances for which the employee is being disciplined.

The purpose of discipline is to ensure high standards of performance and efficiency, to maintain good working relationships among employees, and to provide the citizens of the City with the highest possible level of courteous and professional public service. It is the duty of employees to make a conscientious effort to work and behave in accordance with the values, service standards, policies, and guidelines of the City and the department in which they work. Each employee is expected to be self-disciplined and to work hard at being the best at what he or she does and in helping the City provide a high level of public service. When an employee does not exercise adequate self-discipline or is not successful in meeting the requirements of their job, it may be necessary for his Department Head or supervisor to consider disciplinary action to correct the problem.

Types of behavior and conduct that are subject to discipline include, but are not limited to, the following:

- Falsifying, fraudulently altering, or without authorization destroying employment or other City records or documents.
- Violating the City's non-discrimination and/or non-harassment policies.
- Excessive absenteeism or tardiness.
- Excessive, unnecessary or unauthorized use of City supplies, particularly for personal purposes.

- Reporting to work intoxicated or under the influence of non-prescribed drugs, and illegal manufacture, possession, use, sale, distribution or transportation of drugs.
- Bringing or using alcoholic beverages on City property, in City vehicles or while engaged in City business.
- Fighting or using obscene, abusive, or threatening language or gestures.
- Theft of, or damage to, property of co-workers, citizens or the City.
- Unauthorized possession of weapons on duty, on City premises, in City vehicles, or while on City business.
- Disregarding safety or security regulations.
- Insubordination.
- Commission of a crime.
- Violation of any state, federal, or regulatory statute, code or regulation.
- Violation of any provisions of this Handbook, or any other rule, regulation, policy or procedure of the City or its departments.
- On or off-duty conduct unbecoming an employee/officer of the City.
- Incompetent, inefficient, substandard, or poor job performance.
- Engaging in acts of sexual harassment or other types of harassment.
- Taking or accepting, or attempting to take or accept, for personal use, profit or gain, from any person or entity, any fee, tip, gift, reward, gratuity, or other thing in the course of work or in connection with it.
- Inducing or attempting to induce, or causing or attempting to cause, a City officer or employee to commit an unlawful or unethical act, or to act in violation of any City or departmental policy, procedure, regulation, rule or order.
- Engaging in outside business activities or part-time employment on City time, or using City property or resources for such activity.
- Engaging in fighting, throwing things, horseplay, practical jokes, or other disorderly conduct which may endanger any employee, person or property on City premises or while on City business.
- Engaging in acts of dishonesty, deceit, fraud, theft or sabotage.
- Threatening, intimidating, assaulting, battering, abusing, or coercing, employees or others or interfering with other employees' performance.
- Involvement in other circumstances the City determines, at and within its sole discretion, warrants corrective or disciplinary action.
- Claiming leave time under false pretenses.
- Position abandonment, sleeping on the job or other theft of company time.

Again, this list is intended only to be representative of the types of activities which may result in disciplinary action. It is not intended to be comprehensive and does not alter the employment-at-will relationship between the employee and the City.

K-4 TYPES OF DISCIPLINARY ACTION

The following types of disciplinary actions are recognized by the Governing Body, although there is no obligation to follow them in this particular order:

1. **Counseling/Coaching.** Counseling is an opportunity to visit with the employee regarding concerns and to clarify any expectations that need to be met.
2. **Verbal Warning.** A verbal warning is an oral reprimand given to an employee by his/her supervisor or Department Head. A written record of the verbal warning shall be placed in the employee's file. The employee is also entitled to a copy.
3. **Written Warning.** A written warning is a written censure to an employee by his/her supervisor or Department Head. A written warning shall state all pertinent information related to reasons for the reprimand, corrective action to be taken by all parties involved, and future consequences of repeating the action. A copy of the warning shall be placed in the employee's file. The employee is also entitled to a copy.
4. **Administrative Leave.** Administrative Leave is a temporary removal from the work environment of a employee or a Department Head, with or without pay, following an allegation of misconduct, or other similar circumstance, that requires an investigation and review of the related facts.
5. **Probation.** Probation is a trial period of a specific length of time during which an employee is required to fulfill a set of conditions, or to improve work performance, or to improve on-the-job behavior. Failure to meet probationary requirements may result in further disciplinary action.

6. **Salary Reduction.** A salary reduction is the lowering of an employee's rate of pay within the pay range to which the employee's position is assigned.
7. **Denial or Delay of Step Increase.** A supervisor or Department Head may deny or delay a step increase to an employee as part of their disciplinary action.
8. **Demotion.** A demotion is the placement of an employee into a position of a lower pay range.
Suspension. A suspension is the removal of an employee from service, without pay, for a specified period of time
9. **Termination.** Termination is the removal of an employee from City employment. An employee being involuntarily terminated shall be given written notice of the reason for discharge from employment. The termination or involuntary dismissal notice is prepared by the supervisor with concurrence of, and review by the City Administrator and the Governing Body. The employee is notified of the termination or involuntary dismissal by the supervisor and will be directed to report to the City Clerk's Office for completion of appropriate documentation, if necessary. The supervisor, City Administrator and the Governing Body must assure thorough and consistent termination procedures.

In as much as an employee can terminate their employment with the city at any time and for any reason, the Governing Body can terminate an employee at any time and for any reason. The city subscribes to the policy of "employment at will". Continued employment with the city is at the sole and exclusive option of the Governing Body. Permanent employment or employment for a specific term cannot be guaranteed or promised.

No promises or guarantees of permanent or specific term employment will be made to an employee of the City of Valley Falls by anyone, nor will such promises or guarantees, if made, ever be adhered to by the city or enforced by the employee.

Causes for termination under this section also constitute misconduct for which an employee may be subject to disciplinary action other than termination. The following list is not exclusive; it is only representative of the types of misconduct, which subject an employee to termination:

- Conviction of a felony or conviction of driving under the influence while operating a city vehicle.
- Willful or continued violation of city or departmental safety policies and procedures or willful or negligent creation of unsafe conditions in the workplace.
- Willful or continued violation of personnel policies and guidelines or departmental guidelines.
- Negligent or willful damage to public property or waste of public supplies or equipment.
- Taking or using any funds or property of the city for personal use or for sale or gift to others or the making of any false claim against the city.
- Gross incompetency, neglect of duty or willful or continued failure to render satisfactory service.
- Refusal to abide by any lawful official regulation or order, failure to obey any proper direction made by a supervisor or knowingly making a false statement to any employee or officer of the city.
- Claiming leave time under false pretenses or falsifying attendance records for oneself or another employee.
- Absence without leave.
- Possession or use of alcohol or drugs, except where prescribed by physician, while on duty. Sale of or offering for sale or giving away alcohol or drugs while on duty or at the workplace.
- Sexual harassment.
- Disclosing confidential records or information unless directed to do so by the employee's supervisor or the City Administrator.
- Revocation or suspension of a certification or license, including a driver's license, when such is required as a condition of city employment.
- Material falsification of application for city employment or making a false statement or report in regard to any test, certification, or appointment or any attempt to commit any fraud that violates the merit of principles of personnel administration.
- Giving or attempting to give any monetary consideration or the delivery of undeserved service to or from any person or organization for, or in connection with, any test or appointment.
- Taking or offering to take from any person for the employee's personal use, any fee, gift or other thing or service of value, in the course of the employee's work or in connection with it, when

such gift or other valuable thing or service is given in the hope or expectation of receiving a favor or better treatment than that accorded any other person; accepting a bribe, gift, money or other thing of service or value intended to perform or refrain from performing any official act; engaging in any act of extortion or other means of obtaining money or other things or service of value through the employee's position in the service of the city.

- Discharge of duties in a manner which results in discrimination to any person on the basis of race, creed, color, sex, age, physical or mental disability or national origin.

The disciplinary actions described above are included only to provide examples of the types of disciplinary actions the City and/or its Department Heads or Supervisors may utilize, and do not imply, nor create a "progressive discipline" policy.

K-5 SUPERVISION OF EMPLOYEES

Responsibility of Department Heads

Department Heads shall be directly responsible to the City Administrator for the supervision and administration in accordance with these Policies and Procedures, of all personnel within their respective departments.

Scope of Responsibility

Department Heads and Supervisors, as the case may be, shall be responsible for:

1. Administration of these Policies and Procedures.
2. Adequate observation, orientation and on-the-job training of employees.
3. Continuing review and evaluation of employee's job performance.
4. Adequate job performance by employees and the initiation of corrective and disciplinary actions when required in connection with these Policies and Procedures.
5. Maintaining employee morale and providing a work environment conducive to employees' welfare and safety.

K-6 SEPARATION FROM EMPLOYMENT

This section addresses the various ways the employment relationship may end.

1. **Job Abandonment.** Employees who are absent without notice from work for three consecutive days shall be deemed to have abandoned their positions, shall be dropped from the City's payroll and shall be considered automatically discharged from their employment.
2. **Resignation.** Employees who voluntarily resign in non-disciplinary contexts, and who give two-week's notice of such resignation, have resigned in good standing and may be considered for future re-hire. The City may, at and within its sole discretion, waive the two-week notice.
3. **Retirement.** Employees are deemed to have retired from City employment when they voluntarily resign and are eligible to receive retirement benefits pursuant to the Kansas Public Employees Retirement System (KPERs).
4. **Termination.** Discharge from employment is involuntary termination of the employee's employment relationship with the City. In other words, it is the decision, at and within the City's sole discretion, to terminate the relationship. Discharges are not considered separations in "good standing".

Employees who separate employment for any reason shall immediately return all City property, including documents, uniforms, keys, and records to their Department Heads.

The City Administrator will attempt to conduct an exit interview with all terminating employees - either voluntary or involuntary - whenever possible. The employee may request their supervisor, council, or mayor to be present for the exit interview.

In conducting an exit interview, the supervisor and/or the City Administrator shall obtain, among other information, the following:

1. Information on terminating employee's impression of his or her job.
2. Accurate information on the duties, responsibilities and work conditions of the position.
3. Upon analysis of the interview, identifications of conditions or circumstances which contributed to the separation.

A written report shall be completed and made a part of each employee's personnel file. A checklist is completed for employees leaving employment to assure compliance with city's policies on equipment return.

K-7 RESIGNATION

Notice of Resignation

An employee may resign from the service of the City by notifying the Department Head, preferably giving at least (2) weeks' notice. The resignation notice shall be made in writing, stating the date it will become effective. A Department Head can accept the notice, or make a determination of the employee's final end date. A Department Head may consider as grounds for refusal to rehire an individual the fact that the individual did not give the required notice when he/she resigned from earlier employment with the City. All resignations will be forwarded to the City Administrator.

A Department Head may resign from the service of the City by notifying the City Administrator, preferably giving at least (30) thirty days' notice. The resignation notice shall be made in writing, state the date it will become effective. The City Administrator may consider as grounds for refusal to rehire an individual, the fact that the individual did not give the required notice when he/she resigned from earlier employment with the City.

Withdrawal of Resignation

A Department Head may approve the withdrawal of a resignation, prior to the effective date of such resignation provided that an appointment has not been made to fill the pending vacancy.

K-8 REDUCTION IN WORK FORCE

From time to time, it is necessary for the City to reduce its work force. The reduction in work force may come about due to the lack of work, lack of funds, a move to become more efficient, a shift in focus, or a move to save money. If properly qualified, employees may be offered other work and placed in another department of the City; however, this cannot be guaranteed.

In all cases of a reduction in work force, the employee shall be given two weeks' notice before being laid off. If the employee chooses to cease working immediately upon notice of this final two weeks, a final check will be issued for all accrued vacation leave, and applicable PTO on the next regular payroll. If the Department Head wishes to terminate the services of that employee immediately, they would need to get the approval of the City Administrator and then the employee would be paid for two weeks of severance pay.

If a reduction in work force is necessary, the vacant positions will not be filled until conditions necessitate these vacancies to be filled. Former employees that are qualified may be given an opportunity for re-employment as these positions become available.

K-9 PAY AT SEPARATION

Upon separation, an employee will receive his/her final paycheck. Any eligible accrued benefits will be paid with the final paycheck. It shall be the responsibility of the department head to collect city property the employee may have in their possession.

Any employee resigning or having been terminated before completing the probationary period shall have certain expenses deducted from their final check, including CDL license reimbursement, uniform costs, and actual cost of any testing taken upon accepting the offer of employment.

K-10 REINSTATEMENT OF BENEFITS

Benefits accrued from length of service are forfeited when an employee voluntarily leaves City employment. If an employee is re-employed at a later date, length of service rights begins to accrue from the date the employee is re-employed. Separation from service because of sickness does not affect accrued rights, if an employee returns to work when recuperated. If an employee is terminated due to a reduction in work force, and re-employed within one year, the employee's prior length of service will be restored. Employee leave for military service is addressed under Section G-9 of this policy.

Glossary of Terms

This Article contains terms of a general nature which apply to the entire document unless a chapter provides specific definitions unique to that chapter.

AT-WILL EMPLOYMENT: Employment with the City is on an “at will” basis unless the individual is an elected or appointed official or unless the parties have entered into a signed written contract of employment for a definite duration and/or which requires cause to terminate, and which is signed by both parties. “At-will” employment means that the City may terminate the employment relationship or the employee may resign from employment at any time with or without cause or notice.

CHAIN OF COMMAND: A chain of command is an organizational structure that documents how each member of a company reports to one another.

CHILD (for FMLA): A biological, adopted, or foster child; a step-child, or legal ward, or a child who is or was cared for on a day-to-day basis and whose financial support is or was provided by the employee. This includes a child eighteen (18) years of age or older who is incapable of self-care because of a mental or physical disability. For purposes of “Qualifying Exigency” and Military Caregiver Leave under the Military Family Leave provisions of the FMLA, “son or daughter” may be of any age.

CITY: When capitalized, refers to the municipal organization of the City of Valley Falls, Kansas.

CITY ADMINISTRATOR: The person appointed by the Governing Body as the administrative head of the City under direction of the Governing Body.

COBRA: The Consolidated Omnibus Budget Reconciliation Act, which allows eligible employees to purchase health insurance coverage for a specified period of time following separation from the City.

COMMENTS: Includes without limitation, any content, information, articles, pictures, videos or any other form of communicative content posted through Social Media. May also be referred to as “Posts” or “Postings.”

a. Definitions of Work place violence include the following:

(1) Workplace Violence: Includes, but is not limited to, intimidation, threats, physical attacks or property damage.

(2) Threat: The expression of intent to cause physical or mental harm.

(3) Physical Attack: Unwanted or hostile physical contact such as, but not limited to hitting, fighting pushing, shoving, throwing objects, or threatening with a weapon of any type.

(4) Intimidation: Includes, but is not limited to, stalking or engaging in actions intended to frighten, coerce or induce duress.

(5) Property Damage: The intentional damage to property which includes property owned by the City, employees, citizens, visitors or vendors.

DEPARTMENT HEAD: The chief administrator and supervisor of a department, or the individual designated to act in place of the Department Head when the Department Head is absent.

DISCLOSURE (DISCLOSE, DISCLOSED): For information that is Protected Health Information (PHI), Disclosure means any release, transfer, provision of access to, or divulging in any other manner of Individually Identifiable Health Information to persons not employed by or working within the City on behalf of the Plan.

EMERGENCY: A sudden and unforeseen event that requires the unscheduled services of an employee to protect the health, safety, property, and welfare of the community. Includes fire, bomb threat, or other disaster (natural or man-made) which requires evacuation of a City building or facility or requires individuals to seek shelter within a City building.

EMPLOYEE ASSISTANCE PROGRAM (EAP): A counseling program that offers assessment, short-term counseling, and referral services to employees for a wide range of drug, alcohol, and mental health problems, and which monitors the progress of employees while in treatment.

EXEMPT POSITION: Positions that meet specific requirements are exempt from overtime pay requirements. These may include executive, administrative, or professional positions which meet specific Fair Labor Standards Act (FLSA) requirements and are positions compensated on an annual basis.

FULL-TIME EMPLOYEE: An employee who works an average of 80 hours per two-weeks on an annual basis.

GENDER: When the masculine pronoun is used in these policies, it also means the feminine.

GUEST: An individual who has business or employment interest in the City, and their guest.

HEALTH CARE PROVIDER: Physicians, nurse practitioners, nurse-midwives, clinical social workers and physician assistants who are authorized to practice under State law and who are performing within the scope of their practice as defined under State law.

IMMEDIATE FAMILY: An employee's child, parent, sibling or corresponding in-law or step relation; spouse, grandparents, grandchildren, or legal guardians. For purposes of this nepotism section C-16, "immediate family" is defined to include an employee's parents, step-parents, spouse, children, siblings, grandparents, grandchildren, mothers-in-law, fathers-in-law, brothers-in-law, sisters-in-law, step brothers or step sisters, or a relationship where two persons share a household.

LAYOFF: Separation of an employee from City employment, made necessary by the lack of funds or work, the termination of a program, or other reasons not motivated primarily by considerations attributable to the employee such as the fault, delinquency, or misconduct or substandard performance of the employee. Separation of a seasonal or temporary position when the outside date of separation is known prior to hiring is not considered a layoff.

LEAVE: A period of absence from work, scheduled or non-scheduled. (See Leave Policies)

LEGAL GUARDIAN: The status created by a court order which vests in an individual the right and the duty of care over another individual.

MAY: Is permissive; however, the words "no person may" means that no person is required, authorized, or permitted to do the act referenced.

MONITOR: Is any person designated to be responsible for ensuring the evacuation plan is followed.

NON-EXEMPT POSITION: A position that does not meet the specific requirements for exempt employees and therefore is subject to the minimum wage and pay requirements of the Fair Labor Standards Act.

NUMBER: When the context requires, words used in the singular herein include the plural; and words used in the plural include the singular.

OFFICIAL: In terms of this policy, "official" refers to any site or process set up by the City of Valley Falls, its employees, agents, or contractors, which serves to communicate sanctioned City of Valley Falls information or engages citizens in discussion about topics, services, or processes under the auspices of the City of Valley Falls.

Zero Tolerance: Violations of this policy will not be tolerated and will result in termination of employees engaged in workplace violence.

Parameters: Any threats or acts of violence:

(1) Occurring on City property during normal business hours and involving City employees.

(2) Occurring on city property during normal business hours and involving employees, citizens, vendors, visitors or contractual employees.

(3) Occurring away from City property during normal work hours involving employment.

d. Prohibited Behavior: The following is a list of some of the prohibited behaviors. This is not an all-inclusive list.

(1) Hitting or shoving an individual.

- (2) Threatening to harm an individual, their family, friends, associates or property.
- (3) Intentional destruction or threat of destruction of property owned, operated or controlled by the City.
- (4) Making harassing or threatening telephone calls, letters or other forms of written or electronic communications.
- (5) Intimidating or attempting to coerce an employee to do wrongful acts that would affect the business interest of the City.
- (6) Harassing surveillance (stalking), which is the intentional and malicious following of another person, and may include making a credible threat with the intent to place the other person in fear of their safety.
- (7) Making a suggestion or otherwise implying intent to injure persons or damage property without regard to the location where the suggestion occurs.

PARENT (for FMLA): The biological or adoptive parent of an employee or an individual who cared for the employee on a day-to-day basis and provided financial support when the employee was a child.

PAY PERIOD: Two consecutive work weeks (see work week definition).

PAYCHECK (for FMLA): Refers to sick pay, vacation pay, holiday pay or when supplementing short-term disability with sick or vacation pay. Short-term disability alone is not considered pay and the employee will not accrue sick and vacation time when receiving only short-term disability.

POSITION CLASSIFICATION: All positions within the pay plan are grouped into pay grades according to position responsibilities, organizational fit, labor market conditions, and other relevant factors.

PROMOTION: A promotion generally results when an employee changes to a position that is at least one pay grade higher than the current position held by the employee. Movement to a higher pay grade which is based on meeting qualifications for the next position in a career track, and which is not the result of a promotional process, is not considered a promotion.

RESIGNATION: Permanent separation of an employee from employment with the City, initiated by the employee. Except in extenuating circumstances, if an employee is absent without leave and without calling in for three (3) or more consecutive days.

SEPARATION: A resignation, retirement, layoff, or termination.

SHALL: Is imperative, mandatory.

SOCIAL MEDIA: Generally, social media is any site or on line 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 a common form of spontaneous communication opportunities.

SOCIAL NETWORK: For the purposes of this policy, the term "social network" or "social networking" refers to any interaction between a participant and any site deemed by the City of Valley Falls to be social media, including, but not limited to: Facebook, Govloop, LinkedIn, Plaxo, Twitter, Snapchat, Instagram, and YouTube. 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.

SPOUSE (for FMLA): Husband or wife as defined by state law

SUPERVISOR: A person working in a position that is responsible for evaluating the work activities of an employee or a group of employees. May be exempt or non-exempt as determined by FLSA guidelines.

TEMPORARY/SEASONAL EMPLOYEE: An employee who works for a specific, predetermined time period. Hours worked may be part-time or full-time depending on the type of work or project being performed. Not to exceed 10 consecutive months of employment with a minimum break in service of 60 days.

THREE CONSECUTIVE WORKING DAYS (for FMLA): Three (3) consecutively scheduled working days for employees whose work schedule is based on forty (40) hours or less a week.

TREATMENT: The provision, coordination, or management of healthcare and related services by one or more healthcare providers, including:

- A. The coordination or management of healthcare by a provider with a third party.
- B. Consultation between healthcare providers relating to a patient.
- C. The referral of a patient for healthcare from one healthcare provider to another.

VACANCY: A position which is without an incumbent, and which the City is authorized to fill.

WILL: Is imperative, mandatory.

WORK DAY: The normally scheduled work period within one twenty-four (24) hour period for a specific position. Work days are established by Department Heads with City Administrator approval.

WORK PERIOD: The daily hours that an employee is regularly scheduled.

WORK WEEK: The standard work week for all employees is a 168-hour period commencing at 12:00 a.m. Saturday through 11:59 Friday.

Appendix A: Absence Request Form






ABSENCE REQUEST FORM

Employee Name:	
Type of Request:	<input type="checkbox"/> PTO <input type="checkbox"/> Vacation <input type="checkbox"/> Unpaid Leave <input type="checkbox"/> Other
Date(s) Requested:	
Time Requested : (If less than a full day)	
Date Returning to Work:	
Employee Signature:	DATE

APPROVED:	<input type="checkbox"/> YES <input type="checkbox"/> NO
Explanation: (For Disapproved Requests)	
Supervisor Signature:	DATE

Appendix B: Employee Performance Evaluation

Employee Information	
Employee Name:	Date:
Position/Title:	Department:
Supervisor:	Review Period: From: To:

Evaluation Scale	
	<p>5 Outstanding: Performance exceeds expectations with a high quality of work for their position. Employee completed a major project or made an exceptional or unique contribution in support of the city. Employee takes on new responsibilities.</p>
	<p>4 Exceeds Expectations Performance exceeds normal job requirements. Uses expected behavior/ knowledge appropriately in most complex or demanding situations. Consistently exceeds expectations by demonstrating superior problem solving, critical judgement, and innovation. Guides other in dealing with challenging situations.</p>
	<p>3 Successful Employee meets position requirements. Uses expected behavior/ knowledge consistently in a full range of typical situations/ challenges.</p>
	<p>2 Needs Improvement Performance meets some position requirements. Demonstrates expected behavior/ knowledge inconsistently or in situations of low complexity/ challenge. Requires guidance to deal with more complex situations.</p>
	<p>1 Unsatisfactory Employee does not meet position requirements. Rarely or never demonstrates expected behavior/ knowledge in own work. Requires substantial oversight and direction.</p>
	<p>NA Not Application Area of questioning is not applicable to the employee</p>

Pay Raise Scale		
Average Score	Pay Raise Range	Average Annual Increase
Greater than 4	\$0.00 to \$0.50	\$0 to \$1,000
Between 3.5 and 4	\$0.00 to \$0.40	\$0 to \$800
Between 3 and 3.5	\$0.00 to \$0.30	\$0 to \$600
Between 2.5 and 3	\$0.00 to \$0.20	\$0 to 400
Between 2 and 2.5	\$0.00 to \$0.10	\$0 to 200
Below 2	No pay raise	No Increase
<i>All pay raises are subject to City Administrator and Governing Body Approval</i>		

Work Habits/ Professionalism	5	4	3	2	1	N/A
Properly wears authorized uniforms or maintains clean and appropriate clothing						
Has a professional demeanor, is committed, involved, and demonstrates pride in work						
Demonstrates initiative in new or everyday situations						
Completes work in a timely manner						
Reports to work on time, provides advance notice of need for absence or tardy arrival						
Actively practices safe work habits or protocols						
Open to new challenges and adjusts to changes						
Respects the time of others; makes effective use of time						
Accepts feedback to improve performance						
Subtotal (9 Questions)						
Technical Aptitude	5	4	3	2	1	N/A
Knows and understands the specific technical skills for the job. OR Demonstrates the desire to acquire knowledge/skills for the job						
Technical knowledge or degree of expertise for current position						
Effective and professional written and verbal communication skills						
Listens well to others and considers their ideas or suggestions						
Performs an acceptable amount of work during day to day operations						
Attends training as needed to improve and maintain professional skills						
Competent at problem identification and solution development						
Subtotal (7 Questions)						
Interpersonal Relationships/ Character	5	4	3	2	1	N/A
Represents the City well to residents, customers, employees, and others						
Displays a positive and caring attitude about job and responsibilities.						
Shows job satisfaction and ownership						
Is courteous and respectful to employees, residents, and customers						
Acts as a team player. Works well with other employees						
Is able to adapt and respond in a professional manner to stressful situations.						
Is motivated to improve the community and work environment						
Subtotal (7 Questions)						

Department Head Skills	5	4	3	2	1	N/A
Understands budget for their department						
Operates within approved budget and conserves City resources						
Understands their financial responsibilities for their role						
Involves employees in planning departmental activities and goals						
Provides clear direction to ensure understanding of responsibilities						
Encourages employees to improve skills and attend educational opportunities						
Demonstrates the capacity to direct, control, and influence others.						
Displays ability to teach, train, and lead subordinates and other employees						
Understands and follows all City employment policies and procedures						
Is respected by subordinates and other employees						
Acknowledges or recognizes subordinates of employee achievements						
Delegates duties or responsibilities appropriately to subordinates						
Is readily available or able to be reached during and outside of business hours						
Subtotal (13 Questions)						
Totals						
<i>Work Habits/ Professionalism Sub-Total</i>						
<i>Technical Aptitude Sub-Total</i>						
<i>Interpersonal Relationships/ Character Sub-Total</i>						
<i>Department Head Skills Sub-Total</i>						
Employee Total						
Score						
<i>Non-Department Head Employee Score = Total/ 23</i>						
<i>Department Head Employee Score = Total/ 36</i>						

Comments/ Approval

Supervisor Comments:

Employee Comments:

Employee Signature:

Date

Supervisor Signature:

Date

City Administrator Signature:

Date

Appendix C: Accident/ Incident Investigation Form

Incident Description:	
<i>Affected Individual (s) Information</i>	
Individual Name:	
Date of Incident:	Time of Incident:
Date Reported:	Time Reported:
Location of Incident:	
Employee/s Supervisor:	
Injuries Reported (If applicable):	
What was the severity of the injury? (I.e. Fatal, Minor, Severe)	
First Aid Treatment Given/ By:	
If employee has been seen by, or intends to see a doctor, indicate name, address, and date of visit:	
Property/ Equipment damage incurred and cost (indicate actual or estimate):	

Appendix D: Travel Form

Employee Name:	
Type of Request: <input type="checkbox"/> Training/ Event <input type="checkbox"/> Travel Reimbursement <input type="checkbox"/> Other	
Location:	Reason:
Travel Date(s):	
Mileage: _____ miles	Reimbursement Amount:
<i>For Training/ Event Request Only</i>	
City Vehicle Available: <input type="checkbox"/> YES <input type="checkbox"/> NO	OVERNIGHT STAY: <input type="checkbox"/> YES <input type="checkbox"/> NO
Cost of Event:	Lodging Costs:
Employee Signature: _____	DATE _____

APPROVED: <input type="checkbox"/> YES <input type="checkbox"/> NO	
Explanation: (For Disapproved Requests)	
Supervisor Signature: _____	DATE _____

Appendix F: Employee Warning Report

Employee Name:
Department:
Type of Violation: <input type="checkbox"/> Attendance <input type="checkbox"/> Carelessness <input type="checkbox"/> Disobedience <input type="checkbox"/> Safety <input type="checkbox"/> Work Quality <input type="checkbox"/> Job Requirements <input type="checkbox"/> Other: _____
Employer Statement:
Employee Statement: <input type="checkbox"/> I agree with the Employer's statement. <input type="checkbox"/> I disagree with the Employer's statement for these reasons:
Previous Action Taken: <input type="checkbox"/> Counseling/ Coaching <input type="checkbox"/> Salary Reduction <input type="checkbox"/> Verbal Warning <input type="checkbox"/> Denial or Delay of Step increase <input type="checkbox"/> Written Warning <input type="checkbox"/> Demotion <input type="checkbox"/> Probation <input type="checkbox"/> Suspension <input type="checkbox"/> Termination
DATE OF PREVIOUS WARNING:
Corrective Action Plan
Type of Action Taken: <input type="checkbox"/> Counseling/ Coaching <input type="checkbox"/> Salary Reduction <input type="checkbox"/> Verbal Warning <input type="checkbox"/> Denial or Delay of Step increase <input type="checkbox"/> Written Warning <input type="checkbox"/> Demotion <input type="checkbox"/> Probation <input type="checkbox"/> Suspension <input type="checkbox"/> Termination
Consequence should incident occur again:

Approval/ Acknowledgment

Employee Signature DATE

Department Head Signature DATE

City Administrator Signature DATE

Appendix H: Receipt/ Acknowledgement of Handbook

I acknowledge the receipt of a copy of the Employee Handbook for the City of Valley Falls, Kansas, commonly known as the "Personnel Policy & Guidelines". I understand that the policies and guidelines contained in the Employee Handbook are subject to change at the sole discretion of the Governing Body.

This manual and the policies and procedures contained herein supersede any and all prior practices, oral or written representations, or statements regarding the terms and conditions of your employment with the City of Valley Falls. By distributing this handbook, the City of Valley Falls expressly revokes any and all previous policies and procedures which are inconsistent with those contained herein.

I understand that the Employee Handbook is not a contract guaranteeing employment for any specific duration. I understand that my employment is "at will" and may be terminated without cause or notice.

I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

Employee Signature

Employee Printed Name

Date