

CITY OF HARRODSBURG

Personnel Ordinance

Classification and Compensation Plans

Personnel Policies and Procedures

Updated

May 1, 2013

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ORDINANCE 2006-13
ORDINANCE FOR IMPLEMENTING CLASSIFICATION PLANS,
COMPENSATION PLAN, AND POLICIES AND PROCEDURES

WHEREAS, the City of Harrodsburg recognizes that a personnel system is indispensable to effective and efficient city government; and

WHEREAS, it is essential to develop a broad, yet flexible framework for human resource administration that addresses compensation and classification of employees, and which provides guidance for uniform implementation of employee work rules.

WHEREAS, the Board of Commissioners of the City of Harrodsburg desire to comprehensively update the classification plan, compensation plan, and policies and procedures.

NOW THEREFORE BE IT ORDAINED by the City of Harrodsburg of the Commonwealth of Kentucky:

1. That the classification plan, compensation plan, and policies and procedures attached hereto shall be a guideline for the system of personnel administration for the city; and
2. That the classification plan, compensation plan, and policies and procedures herein may be waived, altered, or suspended only by a change of ordinance.

Adopted this ____ day of _____, 2006.

Official: _____

Attested: _____

WELCOME

Welcome to the City of Harrodsburg. You have been chosen to work with us, because your background indicates that you have the qualifications which characterize successful city employees. The city recognizes the commitment required of our employees, and understands that quality employees are the city's most valuable resource.

These policies have been developed to serve as an informational guide concerning the philosophies of our city in personnel matters. These policies will be effective as of _____ . There will be no retroactive clauses on any of these policies except as expressly stated, and it is expected that all employees will be affected equally in relation to their purpose and implementation. Please read through the personnel policies, and discuss any questions you may have with your supervisor.

The efforts of our past and present employees have made our city's record one of pride and accomplishment. We are happy to have you on our staff and look forward to your contributions to our city.

MAYOR

DATE

STATEMENT OF PURPOSE

The Mayor and City Commission of the City of Harrodsburg recognize that a personnel system which recruits competent, dependable employees is indispensable to effective and efficient city government. These policies and procedures, classification and pay plans and job descriptions have been developed in order to achieve optimum efficiency and economy in the pursuit of the city's goals and the utilization of its human resources.

The policies and procedures set forth hereinafter are intended to implement the personnel ordinance by providing procedures for:

1. Classifying positions in the city service;
2. Recruiting persons for that service; and
3. Compensating employees for their service to the city.

While the city is committed to the equitable treatment of its employees, it is expressly noted that nothing in these policies is intended to create a contract of employment. All employees of the city are employed at-will. Only the Board of Commissioners shall have the right to enter into a contract for other than at-will employment on the city's behalf. Any contract for other than at-will employment must: (1) be in writing; (2) be executed by the Board of Commissioners; and (3) specify the duration of the employment. Any individual may voluntarily leave employment or may be terminated by the city at any time, for any lawful reason, or for no reason at all.

WORKPLACE DIVERSITY

The city is committed to maintaining a diverse workforce. The city values and promotes diversity as a strategic advantage and will take affirmative action to maintain a diverse workforce. Diversity refers to human differences; including those based on culture, ethnicity, gender and age. Some of the benefits the city derives from diversity of its workforce are different viewpoints and perspectives in decision making, greater innovation, creativity, and a broad pool of qualified individuals.

SCOPE OF COVERAGE

The following Personnel Policies and Procedures have been adopted by the City of Harrodsburg and are applicable to all persons employed or appointed to positions at all levels in the city government, with the exception of the following:

- A. All elected officials;
- B. All members of boards and commissions;
- C. City Attorney; if independently contracted;
- D. City Engineer; if independently contracted or is a shared employee hired by or

- with another agency.
- E. Consultants, advisors, and counsel rendering temporary professional services;
 - F. Independent Contractors;
 - G. Temporary or seasonal employees;
 - H. Members of volunteer organizations;
 - I. Building Inspector; if independently contracted or is a shared employee hired by or with another agency; and
 - J. Community Service Related Project Workers; the city may work prisoners on community-service related projects as authorized by Kentucky Revised Statutes. However, participation in community-service projects shall not be deemed employment for any purpose, and a prisoner shall not be deemed an employee or agent of the city.

ADMINISTRATION OF THE PLAN

The City of Harrodsburg functions under the Commission form of government, with all legislative and administrative functions of the city vested in the City Commission. Pursuant to KRS 83.A.140 (3), the City Commission created all departments by ordinance and supervises all department and employees. At its first regular meeting of each year the City Commission shall designate individual members of the Commission to supervise each department. The City Commission may, from time to time, delegate personnel duties to specified persons who shall serve as Personnel Manager.

MANAGEMENT RIGHTS CLAUSE

Nothing in the document entitled Personnel Ordinance, Classification and Compensation Plan, and Personnel Policies and Procedures is intended to circumscribe or modify the existing management rights of the City's Board of Commissioners to do the following: (1) direct the work of its employees as well as establish and revise wages, salaries, position classifications and general employee benefits; (2) hire, promote, demote, transfer, assign, and retain employees; (3) maintain the efficiency of governmental operations; (4) relieve employees from duty in case of emergencies; (5) determine the methods, means, and personnel by which day-to-day operations are to be carried out including work schedules and requiring overtime; (6) the Personnel Ordinance, Classification and Compensation Plan, and Personnel Policies and procedures may be changed by the Board of Commissioners without advance notice and employees may be affected by such changes.

EQUAL EMPLOYMENT OPPORTUNITY

The City of Harrodsburg seeks to provide equal employment opportunity to all its employees and applicants for employment and to prohibit discrimination based on race, color, religion, sex, national origin, age, disability, or because the individual is a smoker or nonsmoker. The city promotes equal opportunity in matters of hiring, training, promotion, pay, employee benefits and other conditions of employment.

AMERICANS WITH DISABILITIES ACT OF 1990

The City of Harrodsburg complies with the Americans with Disabilities Act of 1990, as amended by the Civil Rights Act of 1991, which prohibits discrimination on the basis of disability and protects qualified applicants and employees with disabilities from discrimination in hiring, promotion, discharge, pay, job training, fringe benefits, and other aspects of employment.

The City of Harrodsburg will provide reasonable accommodation to qualified individuals with a disability who, with or without an accommodation, can perform the essential functions of the job, unless the accommodation will impose an undue hardship for the city.

- B. Any person (employee, applicant or citizen) who believes that he or she has been subjected to prohibited discrimination may personally, or by a representative, file a complaint with the Office of the Mayor. A person who has not personally been subjected to discrimination may also file a complaint.
- C. When a person (citizen, applicant, or employee) believes he or she has been adversely affected by an act or decision by the City of Harrodsburg, and that such act or decision was based on disabled status, that person shall have the right to process a complaint or grievance in accordance with the following procedure:
 - 1. Step One: An aggrieved person must submit a written statement to the Mayor of Harrodsburg setting forth the nature of the discrimination alleged and facts upon which the allegation is based.
 - 2. Step Two: The Mayor shall contact the complainant no later than fifteen (15) days after receiving the written statement to establish an informal meeting with the appropriate city commissioner, with the objective of resolving the matter informally. However, in no case shall the informal meeting be conducted sooner than five (5) days nor more than forty-five (45) days after receiving the written statement. There shall be prepared a written documentary of the discussions at the informal meeting, which shall be preserved in the records of the City of Harrodsburg.
 - 3. Step Three: Within fifteen (15) days of the informal meeting, the appropriate city commissioner, with the concurrence of the City Commission, shall issue a written decision of the matter, and the decision shall be the final procedure for the complainant at the local level.
 - 4. Step Four: If the grievance is against a member of the City Commission, the aggrieved employee/s, applicant or citizen shall present his grievance to another member of the City Commission. The City Commission shall investigate the matter in accordance with the provisions of Step 3. Written documentation of the discussions held at the hearing and the City Commission's decision shall be prepared and shall be preserved in the records of the city.

RETALIATION

Disciplining, changing work assignments, providing inaccurate information, or refusing to cooperate or discuss work related matters with any employee because the employee has filed a grievance and/or complained about discrimination or harassment (including sexual harassment) is prohibited.

DRUG-FREE WORKPLACE ACT OF 1988

It shall be the policy of the City of Harrodsburg that its workplace shall be drug-free in compliance with the Drug-Free Workplace Act of 1988 (PL 100-690, Title V, Subtitle D), including any future amendments. This publication provides details of this policy, a statement on dangers of drugs in the workplace, sources of information and assistance and is the basis of a form each employee is required to sign assuring compliance.

It is the policy of the City of Harrodsburg that no employee shall engage in unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in the workplace. Controlled substances means a controlled substance in schedules I through V of the Controlled Substance Act (21 U.S.C. 812), and as further defined by regulation at 21 CFR 1308.11 through 1308.15, including any future additions or amendments.

The purpose of this policy is to avoid the dangers of drugs in the workplace as described further in this publication, and to advise employees of available sources of counseling, rehabilitation, and employee assistance. Each employee is hereby notified that they shall notify the Mayor within five (5) days of any criminal drug statute conviction for a violation in the workplace. Within thirty (30) days, the City of Harrodsburg must take appropriate action.

Employees found to be abusing drugs, but not convicted of any drug statute violation, will be subject to appropriate personnel action up to and including termination, or be required to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes. The employer is not required to pay for this rehabilitation. Any employee violating the terms of this policy is subject to immediate dismissal.

If an employee has a drug problem, the employee must contact city hall for a list of agencies which can help the employee through individual or family counseling.

HARASSMENT POLICY

The City of Harrodsburg is committed to maintaining a work environment that is free of discrimination and harassment. In keeping with this commitment, the city will not tolerate harassing conduct that affects tangible job benefits, that interferes with an individual's work performance, or that creates an intimidating, hostile, or offensive working environment by anyone, including any superior, co-worker, vendor, client or citizen.

HARASSMENT- DEFINITION

Harassment on the basis of race, color, religion, gender, national origin, age, or disability constitutes discrimination in the terms, conditions, and privileges of employment. Harassment is verbal, physical, or visual conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, national origin, age, or disability, or that of his/her friends, or associates, and that:

1. Has the purpose or effect of creating an intimidating, hostile, or offensive work environment.
2. Has the purpose or effect of unreasonably interfering with an individual's work performance.
3. Otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to, the following:

1. Epithets, slurs, negative stereotyping, or threatening, intimidating, or hostile acts that relate to race, color, religion, gender, national origin, age or disability.
2. Written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of race, color, religion, gender, national origin, age, or disability that is placed on walls, bulletin boards, or elsewhere on the employer's premises or circulated in the workplace.

HARASSMENT/SEXUAL HARASSMENT - COMPLAINT PROCEDURES

All employees are responsible for helping to assure the city avoids harassment and sexual harassment, and each employee has the responsibility for reporting any occurrence of which you are aware. If you feel that you have experienced or witnessed harassment you are to notify the appropriate City Commissioner responsible for administration of the department. If the offending person is the City Commissioner responsible for administration of the department, the employee should notify another City Commissioner. Reports are to be made as soon as practicable within twenty-four (24) hours, and preferably in writing. Oral reports, however, will also be taken in the case of unusually sensitive circumstances.

The city's policy is to investigate all such complaints. To the fullest extent practicable the city will keep complaints and the terms of their resolution confidential. If an investigation confirms that harassment has occurred, the city will take corrective action in accordance with the nature and extent of the offense. The city prohibits retaliation against any employee bringing such a claim.

HARASSMENT AND SEXUAL HARASSMENT - FALSE ACCUSATIONS PROCEDURE

While the city does not want to stifle an employee's right to bring good faith complaints of harassment or sexual harassment in any way, the city also recognizes that false accusations of harassment and sexual harassment can have a serious effect on innocent men and women. Accusations which, after investigation, are determined to be intentionally false, or otherwise malicious in intent may result in appropriate disciplinary action against the accuser.

HARASSMENT AND SEXUAL HARASSMENT - EMPLOYEE INQUIRY PROCEDURE

The city encourages any employee to raise questions he or she may have regarding the harassment or sexual harassment policy with his or her immediate supervisor or the appropriate City Commissioner.

EMPLOYMENT PROCESS

Announcement of Position

- A. Notice of newly established or existing employment opportunities may be publicized to current city employees for a period of five (5) working days prior to publication in the newspaper. The announcement, if made, shall be posted in a conspicuous place in each department to which all employees have access.
- B. If a vacancy can not be filled within five (5) working days by a city employee, announcements for newly established or existing positions may be made public in a newspaper of general circulation in the area. In addition, applications filed at city hall within the last six months may be considered.
- C. Announcement of a position shall include such information as to where to apply, deadlines for application, the title and pay ranges for the position, summary of duties of the position, and the position qualifications required. All written announcements of a position shall contain the following statement: "An Equal Opportunity Employer M/F/D".
- D. The city may list the vacant position with the local office of the Department for Employment Services.

Applications for Positions

- A. Applicants for employment shall complete an application, supplied by the city, which shall require legally authorized:
 - 1. Information about the applicant's training and experience;

2. References and a signed release form; and
 3. Whatever additional information is required for an evaluation of the applicant's fitness for position for which he/she applies.
- B. Each application shall be reviewed by the City Commission. No person may be appointed to a position unless verified information on an official application form indicates that the person meets the required qualifications set forth in the position description for the position.
- C. All application forms filed with the city shall be kept for the time required by law at the City Clerk's Office. All applications shall be acknowledged in writing.
- D. All applicants shall be given a copy of the position description describing the job requirements and necessary qualifications.

Appointment to Positions

- A. There are four types of appointments:
1. Introductory: The first six (6) months of service in a position to which an employee has been appointed, promoted, re-employed, or reinstated shall constitute an introductory period. Upon successful completion of the introductory period, the employee shall receive regular status.
 2. Full-Time: After successful completion of an introductory period, full-time appointments are made on a full-time basis, to full-time established positions, for an indefinite period.
 3. Part-Time: Appointments may be made on a part-time basis, to part-time positions, for an indefinite period.
 4. Temporary: Temporary appointments are made on a full-time or part-time basis, to a temporary or permanently established position, for a specified period of time not to exceed six (6) months, unless otherwise approved by the City Commission.
- B. Full-time employees shall be entitled to all benefits as provided in these policies. Part-time or temporary employees shall not be entitled to any benefits unless otherwise stated in these policies.
- C. In determining the qualifications of an applicant for a position the city may consider one or more of the following:
1. Information the applicant supplies on an application form prescribed

- and supplied by the city;
 - 2. Written, performance, or post job offer physical examinations;
 - 3. Interviews;
 - 4. Information and evaluations supplied by the references whom the applicant identifies on the application form; and
 - 5. Other appropriate means.
- D. All persons who qualify for an appointment to a position of a particular classification shall be considered for appointment. No person may be appointed to a position unless verified information on an official application form indicates that the person has the desired qualifications set forth in the position description.
- E. All city employees shall be appointed and removed by the City Commission.

Orientation of Newly Employed Personnel

- A. An orientation shall be made available to all new employees by their supervisor, appropriate commissioner, or the personnel manager on their first day of employment, or as soon thereafter as possible.
- B. The orientation shall consist of the following elements:
- 1. Explanation of the purpose and goals of the city;
 - 2. Overview of the city's history, structure and operations;
 - 3. Overview of management policies and procedures; and
 - 4. Other elements deemed appropriate.
- C. A copy of the city's personnel policies and procedures shall be made available to all new employees as part of their orientation.

Personnel Records

- A. A personnel file shall be maintained for each city employee by the personnel manager. All changes in the status of employees shall be recorded in these files, which shall be retained and maintained in accordance with applicable state and federal laws.
- B. The file shall show:
- 1. The employee's name, address, and telephone number, or telephone where employee may be reached;
 - 2. Completed application form;
 - 3. Position title;

4. Hiring date;
 5. Departmental assignment;
 6. Salary;
 7. Record of awards, if any;
 8. Record of complaints, if any;
 9. Record of continuing education courses completed;
 10. All changes in status as a city employee;
 11. Labor standards, EEO-4, immigration requirements; and
 12. Whatever additional information this ordinance, other governing laws, or the city requires.
- C. Employee medical records of a confidential nature shall be maintained separately from other employee records.
- D. Personnel records of the city shall be public records as defined and controlled by the appropriate Kentucky Revised Statutes. They will be retained in accordance with the retention schedules adopted by the State Archives and Records Commission.

Classification of Employees

- A. All employees of the City of Harrodsburg shall be classified as full-time, part-time, or temporary.
1. Regular Full-Time Employee: An employee who works forty (40) hours per week on a regularly scheduled basis;
 2. Regular Part-Time Employee: An employee who works less than forty (40) hours per week, but on a regularly scheduled basis;
 3. Temporary or Seasonal Employee: An employee who works in a position which is of a temporary nature, either full-time or part-time. The position may be needed to meet a peak work load or for a seasonal type program such as summer recreation. The maximum time limit for temporary or seasonal employees is six (6) months.
- B. Only full-time or part-time employees may occupy regular positions.
- C. Full-time employees in regular positions shall be eligible for “standard” benefits immediately upon employment. Upon completion of three (3) months of employment, the employee shall be eligible for “optional” benefits provided by the city. Specific information regarding these benefits is provided in the “Benefits” section of these policies.

- D. Part-time and temporary employees shall not be entitled to any benefits, unless specified otherwise by the City Commission. However, currently employed part-time or temporary employees that are placed into full-time employment shall be given credit for time worked, which shall apply towards completion of the introductory periods. This credit shall apply only to employees that are currently employed, and shall include only that time worked immediately prior to full-time employment, without a break in employment.
- E. This classification of employees by the city is merely intended to provide a basic delineation between the types of employment available with the city. It is expressly noted that nothing in the semantical classification of employees is intended to create a contract of employment. Any individual may voluntarily leave employment or be terminated at any time, for any lawful reason or no reason at all. Any oral, written statements, custom or course of dealing to the contrary are hereby expressly disavowed.

Employment of Relatives

The employment of relatives is addressed in the City of Harrodsburg's Code of Ethics, Ordinance No. 1994-22. The hiring practices of the city shall reflect the standards set forth in this ordinance.

CONDITIONS OF EMPLOYMENT

Nothing contained in this section of the city's personnel policies, including the successful completion of an initial or promotional introductory period, shall alter the "at-will" employment status between the city and the employee. The employee or the city may terminate the employment relationship during or after the initial or promotional introductory period for any lawful reason, or for no reason at all.

Introductory Period/Probation Period

All persons initially appointed or employed to regular positions shall be on an initial introductory probationary period for six (6) months, subject to any extensions approved by the City Commission. Prior to any employee completing his or her introductory probationary period of employment, his or her supervisor shall submit a work performance evaluation for that employee. The evaluation shall be filed in the personnel file of the employee with a copy to the City Commissioner of that department. If the recommendation of the supervisor is not to continue the employee's employment, it shall be the City Commission's decision to dismiss the employee. During this probationary period, an employee may be dismissed at any time by the City Commission.

An employee serving an initial introductory period shall not be eligible to apply for another position except for a service emergency.

Any employee who has served an initial introductory period and is promoted from within the city service to a new position shall be on an introductory period (referred to as a promotional introductory period) in the new position of six (6) months.

1.
 - a. While on an initial introductory period, an employee may be dismissed at any time without right of appeal.
 - b. An employee serving a promotional introductory period may be reinstated, without right of appeal, to the position from which he/she was promoted or to a position comparable to the one from which he/she was promoted.
2. The introductory period may be extended for a class of positions if it is deemed that a longer period is needed to learn the work and evaluate that effectiveness of the work performed. An introductory period extended for a class of positions may be extended for no longer than twelve (12) months.
3. During the initial introductory period, a new employee may not take sick time that has been accrued until he/she has completed three (3) months of employment.
4. When an employee serving an “initial” introductory period is absent from his/her job, for any cause, for a period of two (2) consecutive weeks or longer, the employee’s introductory period shall be extended by the time the employee is absent.

Transfer

Any employee occupying a regular position may request a transfer from one position to another comparable position, provided the position to which the employee requests transfer is one for which he/she possesses the appropriate minimum qualifications, and provided that the position applied for is vacant. The employee shall make the request in writing to the City Commission, through the supervising City Commissioner.

A full-time employee occupying a regular position shall be given consideration for the transfer. However, if the City Commission deems that the best interests of the city necessitate the appointment of an applicant not currently employed by the city, the position may be filled by appointment of a person from outside the government.

Promotion

1. When a vacancy occurs in a position above the entrance level, consideration shall be given to promotion of current qualified employees who submit written application for the position. However, if the City Commission deems that the best interest of the city necessitate the appointment of an applicant not currently employed by the city, the position may be filled by appointment of a person from outside the government.

2. An employee occupying a regular position may be promoted from one position to a higher position only if he/she possess the minimum qualifications for the higher position and if the position is vacant.

3. When a vacancy occurs, the names of all persons who qualify for promotion to the vacant position that have applied shall be transmitted to the City Commission, through the Commissioner supervising the department, for consideration in filling the vacancy by promotion.

Demotion

In the event an employee becomes unable to perform the duties as stated in the position description, for disciplinary reasons, or in lieu of a layoff, an employee may be demoted, at the city's discretion, provided the employee meets the qualifications for the demoted position, and the position is vacant. The employee's salary in the position to which he/she is demoted shall not exceed the maximum salary for the position, as established in the city's compensation plan.

Layoff/Reduction in Force

1. The City Commission may lay off an employee or employees because the lack of work or funds. The order of layoff shall be determined by the needs of the city.
2. Consideration shall be given to the seniority and merit of persons being considered for layoff.
3. Temporary, seasonal and initial introductory employees shall be laid off before employees occupying regular positions affected by layoff.
4. Two (2) weeks before the effective date of the layoff of an employee occupying a regular position, the City Commission shall notify the employee of the layoff in writing. The notice shall explain the reason(s) for a duration of the layoff (if known); a copy of the notice shall be placed in the employee's personnel file.
5. An employee who is laid off may, at the city's discretion, be eligible for reemployment in other positions, provided that he/she meets the qualifications for the position and provided that the other position is vacant.

Reemployment/Reinstatement

1. The City Commission may reemploy any former employee who has resigned from the city with a satisfactory employment records or who has been laid off because of lack of work or funds.
2. The City Commission shall reinstate into the former position or a comparable position any employee who fails during a promotional probationary period to serve satisfactorily in a position to which he/she has been promoted. The reinstated employee shall receive at least the rate of pay that was received at the time of promotion.
3. The employment date of an employee who resigns and is reinstated shall be the latest date of employment.

Resignations

1. An employee wishing to resign in good standing with the city should inform his/her supervisor or department head of the intended resignation at least two (2) weeks before the effective date. The notice shall be in writing, and shall include the effective date of the resignation.
2. An employee's resignation and its attending reasons, if noted, shall be recorded in the employee's personnel file.
3. The employment date of an employee who resigns and is reinstated will be the latest date of employment.
4. Any employee who is absent from work for three (3) consecutive work days without notifying his/her department head of the reason(s) for the absence will be considered to have voluntarily resigned his/her employment.

Retirement

The city does not have a mandatory retirement age for its employees. The city does participate in the County Employees Retirement System (CERS), including the Standard Unused Sick Leave Program.

Progressive Discipline

1. Generally, the City of Harrodsburg believes in the application of progressive discipline. However, the city reserves the right to skip any step or requirement in the disciplinary action sequence outlined below depending on the severity of the misconduct, or when the facts or circumstances otherwise warrant. Further, it is also noted that in establishing the following disciplinary procedures it is specifically not the city's intention to create any employment situation that compromises its at-will employment status. As expressly stated in these policies' Statement of Purpose, nothing in these policies is intended to create a contract of employment.
2. When an employee fails to follow any rule, regulation, operating procedure or job requirement, one of the following measures shall apply, depending upon the circumstances involved and the severity of the offense. Police personnel shall be disciplined consistent with KRS 15.520 and other relevant statutes.

A. Verbal Warning

1. In the case of a minor infraction, the immediate supervisor or department head shall administer the verbal reprimand as soon as possible after the offense.

2. The date of the verbal reprimand, along with a description of the occurrence which prompted the reprimand and any comments the employee may have made, shall be noted by the person giving the reprimand in his/her own supervisory file.

B. Written Warning

1. In the case of either a second minor infraction or a more serious first infraction, the immediate supervisor or department head shall give the employee written warning specifying the reason(s) for such warning and noting any previous verbal and/or written warnings.

2. After issuing a written warning the city may choose to have the employee's performance reviewed on a daily basis for improvement. In doing so the city shall explain the consequences of continued infractions.

3. The employee shall sign the written warning, or the warning shall be signed by a witness. A copy of the written warning shall be forwarded to the Personnel Officer to be placed in the employee's personnel file.

C. Suspension

1. After either a serious violation or repeated minor violations, the supervisor or department head shall request, in writing, that the City Commission suspend the employee with or without pay. The request shall include the reason(s) for the suspension, if any, along with details of previous disciplinary action/s taken against the employee, if any.

2. In the event a situation arises that, in the judgement of the supervisor/department head, requires that an employee be removed from the work site to protect the health and safety of the employee or others, the department head/supervisor may immediately remove the employee. As soon as practical after such action is taken, but not later than three (3) working days, the department head/supervisor shall provide written notification to the City Commission describing the events which led to the action being taken. Upon reviewing the written documentation the City Commission shall either concur with or disallow the removal.

i. In the event the City Commission concurs with the decision to remove the employee, the Commission shall determine if the situation requires suspension from work beyond that invoked by the supervisor. In the event the Commission determines further suspension from work is justified, it shall determine the length of the suspension and other appropriate decisions.

ii. In the event the City Commission disallows the removal, it shall reinstate the employee without loss of pay or benefits.

3. The City Commission may suspend an employee for any period up to and including four (4) calendar weeks, depending upon the offense's severity.
4. When a decision to suspend an employee is made, the City Commission shall provide written notification to the employee within five (5) working days. The notice shall include the reason(s) for the suspension, if any, and its duration.
5. Employees suspended without pay for a period of four (4) calendar weeks shall forfeit all fringe benefits, including accrual of sick and vacation leave and the city's contribution to life and medical insurance, during the period of suspension.

Suspension with Pay

In situation where the city has become aware of alleged misconduct by an employee which, if substantiated, could result in disciplinary action, the appointing authority may suspend the employee with pay if it is determined the action is necessary to assure public confidence in governmental oversight of its employees, or to assure the integrity of city's inquiry into the allegations.

In the event it is necessary to suspend an employee with pay, the following procedures shall be observed:

1. The city shall, if possible, immediately provide verbal notification to the employee, followed by written notification, within three (3) working days, informing him/her of the suspension and the nature of the allegations being investigated.
2. Consistent with existing personnel procedures, the city shall immediately begin an investigation into the allegations against the employee. This investigation shall be carried out expeditiously, and in no instances shall it be delayed beyond what is considered reasonable and necessary to conduct a complete investigation.
3. Upon reaching a determination as to the culpability of the employee, the appointing authority shall take action, as follows:
 - i. In the event the allegations against the employee are valid, the appointing authority shall invoke disciplinary action as deemed appropriate. These actions shall not include payment of wages in the event the suspension is extended beyond the investigative period; or
 - ii. In the event the allegations against the employee are proven to be false, the employee shall immediately be reinstated to his/her position.
4. During the time an employee is on suspension with pay he/she is considered to be performing services for the city. Therefore, the employee must remain available to return to work within twenty-four (24) hours of receiving written or verbal confirmation of

his/her reinstatement from the appointing authority. In the event the employee is notified of this reinstatement verbally, the city shall provide written verification within one (1) working day.

5. Nothing in this policy or procedure should be construed as limiting the authority of the local government to suspend an employee without pay in those instances where such action is deemed appropriate.

D. Dismissal

1. When an offense is repeated, or misconduct is serious enough for discharge on the first offense, a supervisor or department head may recommend dismissal of an employee by the City Commission. The recommendation shall include the reason(s) for dismissal, if any, details of previous disciplinary action taken against the employee, if any, and the recommended effective date and time of discharge.

2. Upon review of the Supervisor, Department Head or City Commissioner's recommendation to dismiss and the Commission decides to dismiss, it shall provide the at-will employee a letter of dismissal and its effective date and time. For employees who are at-will non-elected City Officers, such as the City Clerk, City Manager, City Administrator, Chief of Police, Fire Chief, the Commission, in addition to giving notice of dismissal, shall give the non-elected City Officer a written statement setting forth the reason or reasons for dismissal. However, this requirement shall now be constructed as limiting in any way the at-will dismissal power of the City Commission.

3. Right to Respond

Although the City of Harrodsburg has chosen to include an appeals process in its personnel policies relating to employee termination, it is specifically not the City Commission's intention to create any property right or employment situation that compromises its at-will employment status. As expressly stated in these policies' Statement of Purpose, nothing in these policies is intended to create a contract of employment.

- f. An employee who has been notified of an intent to dismiss him/her has the right to appear personally or with counsel before the City Commission to respond to the Letter of Intent to Dismiss.
- g. The request to respond must be made within five (5) working days of the employee's receipt of the Letter of Intent to Dismiss, excluding the day it was received. If the employee does not submit such a request within five (5) working days, it will be deemed that the employee has waived his/her right to respond.
- h. The employee's meeting with the City Commission shall be held within five (5) working days after receipt of the employee's request, excluding the day it was received.

- i. The meeting is informal. It gives the employee the opportunity to respond to the Letter of Intent to Dismiss.
- j. Within five (5) working days, excluding the day of the meeting, the City Commission shall uphold, alter, modify, or rescind the intended dismissal. The employee will be notified in writing of the Commission's decision, which shall reflect the final action of the city.
- k. Such action shall be recorded in the employee's personnel file.

Examples of Common Infractions

The following listing of common infractions is intended to give employees an idea of the types of behavior that are unacceptable. This listing should not be construed as all inclusive, and should be considered only as guide to assist in avoiding activities that are in conflict with the goal of an efficient and effective work force.

- a. Absenteeism, tardiness, extended meal times;
- b. Gambling while on duty;
- c. Abuse of sick leave;
- d. Insubordination;
- e. Theft of city property;
- f. Leaving work without authorization
- g. Intoxication or using intoxicants while on duty;
- h. Reporting to work under the influence of nonprescription drugs, including alcohol; use of nonprescription drugs including alcohol at work; or being in possession of nonprescription drugs, including alcohol, while on the job;
- i. Unauthorized use of city vehicles;
- j. Provoking or inciting a fight or fighting during working hours;
- k. Mistreatment (physical or verbal) of citizens;
- l. Willful neglect or abuse of city property;
- m. Deliberate falsification of time records;
- n. Harassment;
- o. Violation of safety policies and/or procedures;
- p. Providing false information on the employment application;
- q. Violation of established employer policies; and
- r. Multiple garnishments at any given time based on more than a single indebtedness.
- s. Cell phone use: No employee shall be permitted to use their personal cell phone during working hours, except for an emergency, at lunch breaks, or other authorized breaks, or for city business matters. This shall be monitored by the Department Supervisor and excessive use thereof shall be reported to the Commissioner of the Department by the Supervisor.

Political Activity

- 1. No employee, as a condition of employment or continued employment, shall be required to contribute to a campaign or campaign for any candidate for political office.

2. No employee of the city shall engage in political activity during his/her assigned duty hours, while in uniform, or while on city premises.
3. Any employee who seeks election to a city office shall resign from their position upon announcing such action or upon filing for a city office, whichever comes first.

Outside Employment

Outside employment (defined as any service for pay performed by an employee in addition to employment with the city) must be approved by the Board of Commissioners. Employees contemplating outside employment shall forward a written request to their supervisor for consideration by the Board of Commissioners. The request shall state the type of employment, hours of work, name of prospective employer, and place of prospective employment. The request shall be granted; providing the following criteria are met: such employment shall not interfere with performance of the employees duties. Such employment shall not involve a conflict of interest or even the appearance of a conflict of interest with the employee's duties. Such employment shall not involve the performance of duties which the worker should perform as a part of employment with the city or occur during the employee's regular assigned working hours. The employee shall consider the employment with the city as the primary job and will make arrangements with any outside employer so as to be available in the event the employee is called for an emergency by the city.

Employee Bonding

All applicants seeking city employment that involves the handling of city funds shall be bondable. All employees involved in handling city funds shall be bonded at the expense of the City of Harrodsburg.

Safety

1. The health and safety of employees is a primary concern of the City of Harrodsburg. As a condition of employment, employees are required to comply with all safety procedures that are established for the position held by the employee. Additionally, any employee who becomes aware of any unsafe or hazardous condition shall report the situation to their supervisor or the appropriate Commissioner immediately.
2. All work related injuries must be reported to the employee's immediate supervisor or the appropriate Commissioner as soon as possible after the injury occurs, but no later than the end of the work day/shift.
3. Failure to comply with established workplace safety rules, report workplace injuries, or failure to report unsafe/hazardous conditions of which the employee is aware will result in personnel action, up to and including termination from employment.

4. Work Place Violence

All city employees have the right to work in a setting free from violence. Employees who violate this policy may be disciplined up to and including discharge. This policy is applicable to all employees regardless of their position in the organization. The following guidelines explain the city policy prohibiting workplace violence.

Work place violence is prohibited. Work place violence is defined to include the following inappropriate conduct. (1) Any employee who touches or threatens to touch another employee in a rude, insolent, or angry manner commits work place violence. (2) Any employee who engages in a course of conduct involving repeated or continuing harassment of another employee that causes that employee to feel terrorized, intimidated, or threatened commits work place violence. (3) Any employee who communicates a threat toward another employee directly or indirectly commits work place violence.

The city will respond to any complaint or work place violence regardless of how or when the city becomes aware of the alleged conduct.

Any employee who feels that he or she is a victim of work place violence should advise their supervisor immediately; or if the complaint is about their supervisor, they shall advise the next supervisor in the chain of command. After being advised of the employee's concern or complaint, an investigation will be made immediately. After the investigation is completed a determination will be made as to what action, if any, will be taken. The person making the complaint will be advised of the determination of the investigation.

Drug and/or Alcohol Testing-Substance Abuse Policy

Purpose

Consistent with the city's policy to maintain a safe, healthy drug-free work environment in compliance with the Drug Free Work Place act of 1988 and the Omnibus Transportation Employee Testing Act of 1991, and in the interest of assuring the safety of the general public by employing persons in safety sensitive positions that do not abuse alcohol or illegal drugs, the following policies are adopted and strictly adhered to by the City of Harrodsburg. For purposes of complying with federal drug and alcohol regulations, the substance abuse testing procedures for employees covered by the Omnibus Transportation Employee Testing Act of 1991 (Commercial Driver's License) shall be established and administered separately from the city's overall substance abuse testing program.

Applicability

This policy applies to all city employees, and where appropriate, applicants for city employment. However, random testing requirements contained within this policy are applicable only to persons required to have commercial driver's licenses (CDL) pursuant to the Omnibus Transportation Employee Testing Act of 1991, and those persons employed by the city deemed to be performing safety sensitive functions, as delineated within the random testing policy. For

testing purposes, those employees subjected to testing for compliance with CDL regulations shall be maintained in separate testing programs.

Definitions

1. **Accident:** For the purpose of this policy, an “accident” is an incident which results in the death of a human being or bodily injury to a person who, as a result of the injury, immediately received medical treatment away from the scene of the accident. Additionally, any incident which results in a vehicle being towed from the site also constitutes an accident. All incidents meeting these standards shall be considered cause for post accident drug/alcohol testing of the employee.

2. **Alcohol:** The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohol including methyl and isopropyl alcohol.

3. **Alcohol concentration (or content):** Means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test.

4. **Commercial Motor Vehicle:** Means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:

- a) Has a gross combination weight of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or
- b) Has a gross vehicle weight of 26,001 or more pounds; or
- c) Is designed to transport 16 or more passengers, including the driver; or
- d) Is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under the Hazardous Materials Regulations (49 CFR part 172; subpart F).

5. **Controlled substance:** Has the meaning as assigned by 21 U.S.C. 802 and includes all substances listed on Schedule I through V as they may be revised from time to time (21 CFR 1308) i.e., marijuana, (THC metabolite), cocaine, amphetamines, opiates (including heroin); phencyclidide (PCP).

6. **Driver:** Means any person who operates a commercial motor vehicle. This includes, but is not limited to: full time, regularly employed drivers; casual, intermittent or occasional drivers; leased drivers and independent, owner-operator contractors who are either directly employed by or under lease to any employer or who operate a commercial motor vehicle at the direction of or with the consent of an employer.

7. **Owner-Operator:** Means a driver(s) who has contracted for services with the city. For the purposes of these procedures and the city’s Alcohol and Drug Abuse Policy, owner-operators are not to be considered city employees, but will be required to participate in the city’s Alcohol and Drug Abuse Policy like all city employee drivers.

8. Medical Review Officer (MRO): Means a licensed M.D. or D.O. (Doctor of Osteopathy) with knowledge of drug abuse disorders who is employed or used to conduct drug tests in accordance with this policy.

9. Performing a safety sensitive function: Means an employee is considered to be performing a safety sensitive function during any period in which he or she is actually performing, ready to perform, or immediately available. This includes any employee who performs a duty(s) that requires a CDL license or any employee who holds a CDL license, or other classifications identified within the random selection section of this policy.

10. Random Selection Process: Means that alcohol and drug tests are unannounced. Tests conducted annually for employees who are CDL drivers shall equal or exceed twenty-five percent (25%) for alcohol tests and fifty percent (50%) for drug tests of the total number of driver subject to testing.

11. Reasonable Cause: Means that the employer believes the actions, appearance or conduct of an employee who is on duty are indicative of substance abuse. Justification for such a conclusion may be actions, appearance or conduct consistent with those conditions identified on page 29 and 30 of this policy, or other identifiable actions, appearance of conduct that raise the suspicion of appropriately trained persons. Reasonable suspicion will be determined by two or more supervisory personnel who will attest to their observations. The Executive Authority will make the final determination.

12. On Duty Time: Means all time from the time the employee begins work or is required to be in readiness to work until the time he is relieved from work and all responsibility for performing work. On duty time shall include:

- a. All time waiting to work or working unless relieved from duty by the employer
- b. All safety sensitive functions as defined in CFR 49 Section 395.2

13. Drug and Alcohol Test: the compulsory production and submission of urine, breath or blood sample by an employee in accordance with procedures contained herein for chemical analysis to detect drug and/or alcohol use.

14. Under the Influence: An individual is considered to be under the influence of intoxicants when the individual's blood alcohol content exceeds 0.02%. An individual is considered to be under the influence of a controlled substance when any detectable amount of the substance is identified through employee testing.

15. Positive Drug Screen: Means positive identification of alcohol, a drug or a metabolite which has been confirmed by sophisticated scientific laboratory tests.

16. Detectable Amount: For the purposes of this policy, detectable amount is defined as the cutoff level defined by federal or state regulation.

17. Employee: An individual employed by the city.

18. He or his also means she or hers in appropriate context.

19. Substance Abuse Professional (SAP): This is a doctor who specializes in counseling or helping a person deal with his substance abuse problems.

Administrator

The appropriate City Commissioner and/or the personnel officer will serve as the program administrator (PA) of this policy.

Prohibitions

The following conduct is strictly prohibited and will subject an employee to immediate discipline:

1. Alcohol Prohibitions

- a. The unlawful buying, selling, transportation, possession, providing of alcohol while on duty.
- b. Use during the four (4) hours before reporting for duty.
- c. Reporting for normal duty or remaining on duty to perform work with an alcohol concentration of 0.02 or greater.
- d. Use of alcohol during eight (8) hours following an accident, or until he undergoes a post accident test.

Employees found to have an alcohol concentration of 0.02 or greater, but less than 0.04, shall immediately be removed from their duties, and shall not perform safety sensitive functions, including driving, for a period of 24 hours following the alcohol test. The employee shall receive a written reprimand which indicates any further violations of the policy will result in the employee's dismissal.

Employees found to have an alcohol concentration of greater than 0.04 shall immediately be removed from their duties and subjected to other actions outlined in this policy, including personnel actions up to, and including dismissal from employment.

2. Drug Prohibitions

The use of any drug is prohibited if the drug could affect job performance, including, but not limited to:

- a. Use of any drug, except by doctor's prescription, and then only if the doctor has advised the employee that the drug will not adversely affect the employee's ability to safely perform the duties of his job.
- b. Testing positive for drugs; and

- c. Refusing to take a required test.
- d. Failure to notify the supervisor if alcohol or a controlled substance is ingested unintentionally or if the employee is made to ingest a controlled substance so that appropriate medical steps may be taken to ensure the employee's health and safety;
- e. Failure to notify the supervisor of any alcohol or criminal drug statute charge or conviction no later than give (5) days after such charge or conviction relating to alcohol or drug abuse or misuse. However, notification of conviction does not insulate the employee from disciplinary action.

An employee will be not disciplined for reporting personal use of alcohol or prescribed medications when called to perform additional duties outside normal work hours.

An employee will inform his department head or the PA of any therapeutic drug and/or prescription use that could adversely affect his performance prior to performing any duties.

Employees found to be in violation of the city's substance abuse policies are subject to appropriate personnel action, up to and including dismissal from employment.

Preconditions to Drug and Alcohol Testing

The city shall contract with a certified laboratory. Samples to be tested shall be obtained by a certified laboratory. In the event of an emergency the James B. Haggin Memorial Hospital will be utilized. The city will designate a Medical Review Officer(s) to review positive results.

Types of Testing

1. Pre-employment Testing

All offers of employment are made contingent upon passing a medical review, including an alcohol and drug test. If the test is confirmed positive for drugs or alcohol, the candidate will be disqualified with no further action to be taken. Job applicants who are denied employment because of a positive test may reapply for employment after six (6) months. The records will be maintained in the applicant's confidential medical file.

2. Reasonable Suspicion

If an employees work performance or behavior is indicative of possible alcohol or drug abuse or misuse as demonstrated by the following behaviors/symptoms, or if the employer observes specific, contemporaneous, articulable conduct pertaining to the appearance, behavior, speech or body odors of the employee that indicate that he/she may be in violation of this policy, an appropriately trained supervisor, with the concurrence of the PA, will require the employee to submit to a breath test or urinalysis. The following conditions, which should not be construed to be all inclusive, are signs of possible alcohol or drug abuse:

- Abnormally dilated or constricted pupils
- Glazed stare, redness of eyes

- Change of speech
- Constant sniffing
- Increased absences
- Redness under nose
- Sudden weight loss
- Needle marks
- Change in personality
- Increased appetite for sweets
- Forgetfulness, performance faltering, poor concentration
- Borrowing money from co-workers, seeking an advance in pay, or other unusual display of need for money.
- Constant fatigue or hyperactivity
- Smell of alcohol
- Difficulty walking
- Excessive, unexplained absences
- Dulled mental process
- Slowed reaction rate

a. Supervisors must notify the PA and/or the appropriate City Commissioner if they have reason to believe one or more of the above listed conditions is indicated, and that the substance abuse is affecting an employees' performance or behavior in any manner. Job performance and policy violations must be specific.

b. The PA will arrange to observe or talk to the employee. If the PA and supervisor concur on reasonable suspicion, the PA will immediately arrange for the specified test.

c. The employee will be required to release any evidence relating to the observations for further testing. Failure to comply may subject the employee to subsequent discipline or suspension. All confiscated evidence will be receipted for with signatures of both the receiving supervisor and the provider.

d. If upon questioning by the supervisor, the employee admits to use but requests assistance, the PA may arrange for assessment by the substance abuse professional (SAP). Reassignment to job duties will be conditioned on completing the SAP's guidelines and return to work testing.

e. The supervisor shall, within 24 hours, or before the results of the alcohol or controlled substance testings are released, document the particular facts related to the behavior or performance problems and present documentation to the PA.

f. The PA shall cause the removal of the employee from city property and ensure that the employee is transported to the collection site. Under no circumstances will the employee be allowed to drive any city vehicle until a confirmed negative test result is received.

g. All supervisors will receive a minimum of one (1) hour training on alcohol abuse and one (1) hour training on drug abuse to assist them in identifying abuse behavioral characteristics.

3. Post-Accident Testing

An “accident” is an incident which results in the death of a human being or bodily injury to a person who, as a result of the injury, immediately received medical treatment away from the scene of an accident; or which has had a vehicle towed from the scene of an accident. The city may require testing on minor accidents if there is reasonable suspicion that alcohol or drugs were involved.

All employees are required to provide a breath test and a urine specimen to be tested within eight (8) hours after an accident. The employee shall remain readily available for testing or he will be deemed to have refused testing. If the employee is seriously injured and cannot provide a specimen at the time of the accident, he shall provide the necessary authorization for obtaining the hospital reports and other documents that would indicate whether there were any controlled substances in his system. **Adherence by the employer to the post-accident testing requirements is a condition of continued employment with the city.**

4. Random Selection

In addition to employees required to be randomly tested by the Omnibus Transportation Employee Testing Act of 1991, the city may conduct mandatory testing for all employees.

- a. A selection process which removes discretion in selection will be adopted by the city.
- b. The random testing will be reasonably spaced over a twelve (12) month period.
- c. Once notified, the employee will immediately proceed to the collection site. The employee will not be notified prior to duty that he is to be tested. If the employee is not scheduled to work within seventy-two (72) hours he will not be randomly tested until drawn again.

For the purposes of this policy, the city has determined the following positions impact the safety and well being of the community, and are therefore subject to mandatory random testing:

All employees.

5. Return-to-Duty Testing

Before an employee returns to duty after engaging in conduct prohibited by this policy, the employee shall undergo a return to duty alcohol test with a result of less than a 0.02 breath alcohol concentration (BAC) or receive a confirmed negative result from a controlled substance urinalysis test.

Collection of Breath and Urine Specimens and Laboratory Analysis

1. Breath Alcohol Testing

Breath alcohol testing will be conducted at a prearranged location by a qualified Breath Alcohol Technician according to CFR 49 Part 40 procedures. Refusal to provide breath will be considered a positive test and the employee will be removed from a safety sensitive function until resolved.

2. Specimen Collection

Specimen collection will be conducted in accordance with applicable state and federal law. The collection procedures will be designed to ensure the security and integrity of the specimen provided by each employee, and those procedures will strictly follow federal chain-of-custody guidelines. Every effort will be made to maintain the dignity of each employee submitting specimen for analysis in accordance with these procedures.

3. Laboratory Analysis

Only a laboratory certified by the Department of Health and Human Services (DHHS) to perform urinalysis for the detection of the presence of controlled substances will be retained by the city. The laboratory will be required to maintain strict compliance with federally approved chain of custody procedures, quality control, maintenance and scientific analytical methodologies.

4. Follow-up testing

Following a determination that an employee is in need of assistance in resolving problems associated with alcohol misuse and/or use of controlled substances, the city shall see that the employee is subject to unannounced follow-up testing as directed by the SAP as required by 382 CFR 605(c)(2)(ii). Follow-up alcohol testing shall be conducted only when the employee is performing safety-sensitive functions, just before the employee is to perform or just after the employee has performed safety sensitive functions.

Consequences: Appeal of Test Results

1. Alcohol and drug abuse may not only threaten the safety and productivity of all employees, but causes serious individual health consequences.

2. An employee testing positive for alcohol or drug use is subject to disciplinary action. Refusal to submit to testing will also be considered a positive test. Refusal includes not providing a breath or urine sample as directed, neglecting to sign appropriate control forms, using alcohol within 8 hours of an accident unless a test sample has been taken earlier, or engaging in conduct that clearly obstructs the testing process.

Any employee testing positive for the presence of a controlled substance will be contacted by the city's MRO. The employee will be allowed to explain and present medical documentation to explain any permissible use of drugs. All such discussions between the employee and the MRO will be confidential. If medically supportable reasons exist to explain the positive result, the MRO will report the test result to the city as negative.

Within seventy-two (72) hours after the employee has been notified of a positive test result for drugs, he may request a retest of the split sample. The signed request will be provided to the MRO in writing, who will then initiate the new laboratory analysis. If a different result is detected by the subsequent laboratory, the test will be voided by the MRO, and the PA will be notified. A new sample may be requested as appropriate.

3. The employee may seek assistance from a substance abuse professional who, in conjunction with the MRO, will take appropriate action, which may include diagnosing the problem and recommending treatment.

a. If the employee acknowledged a substance abuse problems, requests assistance and completes the substance abuse treatment recommended by the SAP, these may be considered to be mitigating factors.

b. The employee's successful completion of an approved treatment program may be a condition of continued employment.

c. An employee will be required to submit to at least six (6) unannounced drug tests during the first year and follow-up testing may be conducted for up to sixty (60) months. Failure to adhere to this condition is grounds for immediate termination.

d. Nothing in these policies shall be deemed as precluding the city from dismissing any employee who has been found to be in violation of these policies. There is no express responsibility to retain an employee, or to provide assistance beyond referral information regarding rehabilitative resources.

Confidentiality

Under no circumstance, unless required or authorized by law, will alcohol or drug testing information or results for any employee or applicant be released without written request from the applicable employee. Employees are entitled, upon written request, to obtain copies of any records pertaining to his use of alcohol or controlled substances, including any records pertaining to his alcohol or controlled substance tests. The city will have three (3) working days to provide copies.

Collection of breath and urine samples must always be documented and sealed with a tamper-proof system in the presence of the employee, to insure that all tests can be correctly traced to the employee. Drug and alcohol test analysis from the DHHS approved laboratory will be forwarded directly to the MRO for confidential record keeping.

Record Retention

The city shall maintain records of its alcohol misuse and controlled substance abuse prevention programs in a secured location as prescribed by 382 CFR 401.

CLASSIFICATION PLAN

Allocations

1. In the classification plan authorized by the Personnel Ordinance:
 - a. Each position shall, on the basis of the duties and responsibilities of the position, be allocated to an appropriate class.
 - b. A class may include either a single position or two or more positions.

Written Position Descriptions

1. Each class shall have a position description that includes:
 - a. A concise, descriptive title;
 - b. A description of the duties and responsibilities of positions in the class; and
 - c. A statement of minimum qualifications for each such position.
2. All positions in a single class shall be sufficiently alike to permit:
 - a. The use of a single descriptive title for the class;
 - b. A concise, general description of the duties of each position in the class;
 - c. Description of the same qualifications for each such position;
 - d. The use of the same tests of competence for each such position; and
 - e. Application of the same pay range to each such position.

Regular Review and Evaluation

The City Commission, through the supervising Commissioner, shall continuously review the classification of positions and may combine classes, establish new ones, or abolish unnecessary classes as the needs of the service requires. All changes in the classification of positions must be approved by the City Commission. Changes must be accomplished within the resources of the city budget.

The Classification Plan is found in Appendix C.

COMPENSATION PLAN

Pay Plan

1. A pay plan prepared pursuant to the personnel ordinance shall prescribe for each class a minimum and a maximum rate of pay and whatever intermediate steps, if any, the City Commission deems equitable.
2. Upon the adoption of a pay plan in accordance with the personnel ordinance, the City Commission shall assign each class to one of the pay grades the plan provides.
3. Salary grades are determined by the relative difficulty and responsibility of the positions of the class, minimum qualifications, prevailing rates of pay, cost of living factors, the financial policy of the city and other related considerations.
4. At least once each year, the City Commission or its designee shall:
 - a. Compare the city's salary rates, compensation policies and personnel developments of the city with those of other employers, public and private, in the area;
 - b. Analyze fluctuations in the cost of living;
 - c. Make recommendations for amendment of the pay plan based upon comparison, analysis and examination.
5. Employees shall be given consideration prior to the beginning of the fiscal year for increase to the next step of the grade assigned to their position, pending satisfactory service and availability of city funds.
6. Employees serving initial introductory periods shall not be eligible to receive any increase in compensation. In instances where an employee has been precluded from receiving an increase in compensation due to serving an initial introductory period, upon successful completion of the initial introductory period the employee shall be granted an increase in compensation equivalent to fifty percent (50%) of any such increase granted during this time to employees in similar positions.
7. An appointee to a new position shall receive the minimum salary for the class to which the position is allocated, except that the City Commission may cause the appointment to be made at a salary above the minimum.
 - a. In cases of unusual difficulty in filling the position; or
 - b. In hiring exceptionally qualified personnel.
8. In cases where appointments have been made above the minimum, justification for these appointments shall be made by the City Commission in writing.
9. The Classification Plan is found in Appendix C.

Hours of Work

1. Each employee shall work according to a schedule of hours determined by his/her supervisor and approved by the Board of Commissioners. Non-supervisory full-time employees shall work forty (40) hours per week; with the exception of the Fire Department.
2. Flexible work schedules may be utilized as agreed to in writing between each employee and his/her department head with the appropriate Commissioner's approval.

Overtime

1. In order to determine whether an employee will receive overtime pay for hours worked in excess of forty (40) hours per week, each class shall be declared "exempt" or "non-exempt" in accordance with provisions of existing labor laws. Exempt employees shall not be compensated in cash for overtime worked. Non-exempt employees shall receive overtime pay at the rate of one and one-half (1.5) times the hourly wages for actual hours worked in excess of forty (40) hours in any work week. Non-exempt employees who are required to work all seven (7) days in a workweek shall receive overtime pay at the rate of one and one-half times the hourly wage for all hours worked on the seventh day of the work week if the cumulative weekly total exceeds forty (40) hours.
2. Time off with pay (such as vacation leave or sick leave, holidays observed, any type of suspension or any other administrative leave) may not be considered as hours worked for overtime pay purposes.
3. Overtime work shall be approved in advance by the appropriate department head. To the extent possible, the amount of overtime in terms of hours and pay, shall also be approved in advance.
4. Overtime shall be kept at the minimum consistent with maintenance of essential services and the city's financial resources. Department heads are responsible for appropriate advance planning to ensure required overtime is minimized.
5. The supervising Commissioner is responsible for approval of overtime work for non-exempt department heads. To the extent possible, all overtime for department heads must also be approved in advance.
6. Call Out is when a worker is called to report to work outside the regularly scheduled work period. Call out does not include holdover or previously schedule overtime. When overtime has not been scheduled in advance, and employees are called back to work after their regularly scheduled hours or on their off days, sick leave and vacation days, they should be paid a minimum of three hours at their regular rate of pay or the actual overtime hours worked; according to normal working procedures.

7. Business telephone calls are not subject to the call out premium. The time spent on business telephone calls after hours should be cumulative during a workday and rounded to the nearest quarter-hour for reporting purposes and recorded daily on the employees' time sheet.

8. On Call Duty. Employees with assigned on call responsibilities on non-scheduled work days shall be compensated for two hours overtime daily. On Call employees shall be designated by the Board of Commissioners in response to changing service requirements.

Compensatory Time

All full-time city employees deemed to be "exempt" employees under the Fair Labor Standards Act shall be eligible to receive compensatory time, on an hour for hour basis. Employees should be allowed to accumulate an unlimited number of compensatory hours. However, upon termination of employment, unused compensatory time in excess of four hundred eighty (480) hours will be converted to sick leave. Once two hundred eighty (280) hours is accumulated employees may annually request payment for eighty (80) accumulated hours in blocks of forty (40) hours. Upon termination of employment the employee shall be compensated for all unused compensatory time at their regular rate of pay; excluding time converted to sick leave.

Workweek

The city may change the official workweek at any time, but not to avoid overtime provisions.

The "Work Week" is seven consecutive twenty-four (24) hour periods totaling one hundred sixty-eight (168) hours. "Work Day" is a management assigned shift of work within any twenty-four (24) hour period beginning with the first hour of the employees' assigned shift, and ending with the last hour of the assigned shift. "Work Period" is a management assigned forty (40) hours of work; (with the exception of the Fire Department) usually performed within five (5) consecutive days and contained within the established workweek.

EMPLOYEE BENEFITS

Employee benefits constitute a basic ingredient in personnel administration, and represent a substantial financial commitment by the City of Harrodsburg. However, it is expressly noted that the provision of any benefit to city employees is not intended to create any employment situation that compromises the city's at-will employment status. As expressly stated in these policies' Statement of Purpose, nothing in these policies is intended to create a contract of employment. Benefits provided by the City of Harrodsburg include the following:

Holidays

1. All full-time employees occupying regular positions shall receive time off, at their regular rate of pay, for each holiday. Holidays include:
 - a. The first day of January (New Year's Day);
 - b. The third Monday in January (Martin Luther King Day);
 - c. The second Monday in February (President's Day);
 - d. The Friday before Easter (Good Friday);
 - e. The last Monday in May (Memorial Day);
 - f. The fourth day of July (Independence Day);
 - g. The first Monday in September (Labor Day);
 - h. The eleventh day of November (Veterans Day),
 - i. The fourth Thursday in November (Thanksgiving Day);
 - j. The fourth Friday in November (the day after Thanksgiving);
 - k. The twenty-fourth day of December (Christmas Eve);
 - l. The twenty-fifth day of December (Christmas Day); and
 - m. The thirty-first day of December (New Year's Eve).
2. When any holiday listed above falls on a Saturday, it will be observed on the preceding Friday. When any holiday listed above falls on a Sunday, it will be observed on the following Monday.
3. In addition to the above, any day may be designated as a holiday by proclamation of the City Commission.
4. Personnel who are scheduled to work a regular forty hour week, with the exception of the Fire Department whose work schedules require work on any of the above listed holidays will have the choice of another day off or of receiving holiday pay at their regular rate of pay in addition to time and a half (over time pay) for the hours actually worked on that holiday.
5. The employee must inform his/her supervisor of their choice prior to working the holiday.
6. Effect of Other Leave on Holiday Leave Pay: If a holiday occurs while eligible employees are on authorized paid leave such as vacation leave, sick/temporary disability leave, bereavement leave, or compensatory leave, an otherwise eligible employee is entitled to paid holiday leave and shall not be charged vacation leave or sick/temporary disability leave time, bereavement leave, or compensatory leave for the holiday.

7. No-pay Status: Employees in no-pay status for any reason during any portion of either the scheduled work day or leave day that falls immediately before and/or after a holiday are not eligible for and shall not receive paid holiday leave.

Vacation Leave

1. All employees occupying full-time regular positions shall be granted vacation leave at their current rate of pay.

2. All vacation leave shall be considered earned on the first day of January of each year. Employees who have worked for the city less than one (1) year shall receive a prorated share of vacation schedule listed below, based on the actual time worked. However, employees may not apply for or receive vacation time until one (1) year of continuous service with the city has been completed.

3. All employees occupying regular full-time positions, with the exception of firefighters working twenty-four (24) hour shifts, shall be entitled to vacation leave on the following schedule:

<u>Full Year of Continuous City Service</u>	<u>Earned Vacation</u>
1 year	40 working hours
2-4 years	80 working hours
5-9 years	96 working hours
10-14 years	120 working hours
15-19 years	136 working hours
20-24 years	144 working hours
25 years and thereafter	160 working hours

Firefighters working twenty-four (24) hour work shifts shall be entitled to vacation on the following schedule:

<u>Full Year of Continuous City Service</u>	<u>Earned Vacation</u>
1 year	52 working hours
2-4 years	104 working hours
5-9 years	125 working hours
10-14 years	156 working hours
15-19 years	177 working hours
20-24 years	187 working hours
25 years and thereafter	208 working hours

Vacation time can only be paid out based on the number of hours physically taken off, with the exception of Firefighters. Who may turn in extra vacation time in order to compensate for their salary. For a day taken off, a firefighter may request pay for 28 hours on a short week and 36 hours on a long week as long as the earned vacation time available is adequate to cover the request.

4. Employees are required to utilize vacation leave within one (1) year of it being earned. Unused vacation time will be converted to sick leave. The City Commission shall make allowance in the city's annual budget for potential financial liability created by this policy.
5. Insofar as possible, vacation leave should be requested one (1) month in advance. Vacation leave may be disapproved if the employees' services are required at the requested time.
6. Upon termination of employment from the city, employees shall be paid for all earned and accrued unused vacation leave excluding time converted to sick leave. Vacation is earned and accrued weekly at the rate of one fifty second of the annual amount. After two (2) years continuous service, vacation time is posted to each employee as of January 1. Therefore, upon termination of employment from the city, employees shall only be paid for the portion of their vacation time that they have actually earned. Which means the vacation will be prorated according to the number of weeks worked.
7. When a former employee is reinstated the person shall be considered a new employee for vacation, sick leave and other benefit purposes.
8. Employees absent because of sickness, injury or disability may use accrued vacation leave only after accrued sick leave has been exhausted.
9. Vacation leave shall be taken in increments of not less than one (1) hour; with the exception of firefighters. For firefighters vacation must be taken in increments of twelve(12) hours if taking off for less than a twenty-four (24) hour shift.
10. The Personnel Manager shall ensure that accurate records are kept for vacation leave allowance, vacation leave taken, and the current accrued leave for each employee.

Sick Leave

1. Sick leave is provided so that an employee will not be seriously handicapped financially if he/she is unable to work because of illness. Sick leave may be utilized for medical, dental, or optical examinations, pregnancy, adoption, required care of sick or injured members of the employee's immediate family, or for funerals of employees' immediate family members. (See funeral leave for specific regulations) As utilized in this policy, immediate family member is deemed to be a spouse, child, parent, grandparent, grandchild, brother, or sister or a person claimed by the employee or his/her spouse as a dependent for tax purposes.
2. All employees, except Firefighters, occupying full-time regular positions (40 hours per week) shall receive one (1) day sick leave credit for each month of service, and Firefighters shall receive 11.25 hours per month, sick leave credit for each month of service. This is based on firefighters working 2920 hours per year, and regular employees working 2080 per year, beginning with the first day of employment. Regular full-time employees who work 2080 hours per year are entitled to 135 hours sick leave per year.

However, an employee serving an initial introductory period is not eligible to receive paid sick leave until the employee has worked for three (3) months, with the following exception:

a. In the event of the death of an immediate family member during the first three (3) months of the initial introductory period of a newly hired employee, the employee shall be granted three (3) paid sick days if needed. (See funeral leave for specific regulations)

3. All foreseeable leave for such purposes shall require specific prior written approval of the department head. In the event of sick leave for any purpose, the department head may require a physician's statement giving information as to the circumstances involved.

4. Consistent with the Pregnancy Discrimination Act of 1978, pregnancy/childbirth shall be treated as a temporary disability, and is eligible for use of sick leave. To the extent an employee provides written notification of her intention to return to work upon being deemed medically able, the employee's position will be maintained on the same basis as other positions impacted by an employee's sickness or temporary disabilities. The ability of the employee to return to work shall be determined by the employee's physician, consistent with the individual medical needs of the employee. Before returning to work the employee must provide documentation from the physician indicating the employee may return to his/her job.

Employees absent from work due to pregnancy/childbirth may utilize vacation leave after all personal leave has been utilized. Leave beyond the employee's accrued leave balances shall be leave without pay. During leave due to pregnancy/childbirth, vacation days shall continue to accrue and shall be credited if the employee returns to work. Insurance benefits will continue to be paid for full-time employees.

To the extent possible, an employee submit her written request from such leave in advance, indicating the approximate dates of absence from work, and her anticipated return to work. Employees not planning to return to work following childbirth are requested to submit a timely resignation to allow the city's staffing needs to be met.

5. When an employee takes sick leave, prior written approval is necessary from his/her immediate supervisor of the Personnel Manager shall be informed of the fact and the reason(s) thereof as soon as possible. Failure to notify the supervisor of Personnel Manager within two (2) hours of the beginning of the work shift may be cause for disallowing the use of sick leave during the period of absence and counted as unscheduled time off.

6. Absence for a part of a day this is chargeable to sick leave shall be charged proportionately in an amount not smaller than one (1) hour.

7. In the event an employee, other than a firefighter, takes sick leave for two (2) or more consecutive working days, the supervisor shall require a certificate from a medical doctor documenting the employee's absence was due to personal illness. In the event an employee absence is due to the care of an immediate family member, appropriate documentation shall also be provided. Failure to provide required documentation shall result in the time off being charged as time without pay. In the event a firefighter takes sick leave for more than one

twenty-four (24) shift (the equivalent of 3 sick days), the supervisor shall require a certificate from a medical doctor documenting the employee's absence was due to personal illness.

8. In the event an employee is absent due to the care of an immediate family member, appropriate documentation shall also be provided. Failure to provide required documentation shall result in the time off being charged as time without pay and will result in disciplinary action.

9. In order to be paid for vacation or holidays, any employee taking sick time immediately prior to or subsequent to a vacation or holiday, will be required to provide a physician's statement. Failure to provide a physician's statement will result in disciplinary action.

10. Absences due to sickness, injury or disability in excess of the employee's accumulated sick leave balance may, at the request of the employee, and with the approval of the department head, be charged to vacation leave credit.

11. Employees shall be allowed to accumulate an unlimited number of sick days. Upon termination of employment with the city, other than retirement, unused sick leave shall be forfeited without pay.

12. The City of Harrodsburg participates in the County Employees Retirement System, including the Standard Unused Sick Leave Program. In this program, the employee is allowed to accumulate an unlimited number of sick days during the tenure of employment, which may be applied to their length of service upon retirement. The city will pay the cost of applying the accumulated sick time to the employee's length of tenure.

13. Employees absent from work due to appropriately authorized holidays, sick leave, vacation leave, or disability from injury sustained in the course of their employment shall continue to accumulate sick leave at the regularly prescribed rate during their absence.

14. The Personnel Manager shall maintain employee sick leave records. An employee fraudulently obtaining sick leave, or a department head falsely certifying sick leave allowance for absence from work, may be suspended or dismissed. Abuse of sick leave shall be cause for disciplinary action, up to and including dismissal.

(A) Employees who have completed one year of continuous service shall be required to keep a minimum balance of 80 sick hours. Any employee found abusing or falling under the minimum balance of sick hours shall result in disciplinary action. (Exceptions shall be Maternity leave, FMLA, and leaves preauthorized by the Supervisor and Commissioner).

15. At no time will an employee on shift work be able to take a sick day the day before or after a RDO (regular day off) without a physician's statement. Failure to provide a physician's statement will result in disciplinary action.

Scheduled Time Off

Scheduled time off is time off requested in advance and approved by the appropriate party. (Department Supervisor, Commissioner, CAO or Mayor.)

All employees are required to fill out a written request for leave in advance and submit to the department supervisor. If the department supervisor is requesting time off, he/she shall be required to fill out a written request to be approved by the CAO, Mayor or Commissioner.

Unscheduled Time Off

All employees are required to notify their supervisor according to written policy, prior to an assigned shift of their inability to work. Unscheduled time off should only be used in cases of illness and/or emergency. Employees using excessive amounts of unscheduled time off will be disciplined in accordance with this policy.

Disciplinary Action for Unscheduled Time Off

Abuse of sick time could/shall result in the following:

1 or more incidents of unscheduled time off in a 30 day period will result in the employee being orally counseled and receive a written warning.

2 or more incidents of unscheduled time off in a 60 day period will result in the employee being suspended without pay.

3 or more incidents of unscheduled time off in a 90 day period will result in the employee being terminated.

Repeat offenders will be disciplined accordingly

Factors to be considered to determine abuse of sick time and/or unscheduled absences

- (1) # of years employed by the City of Harrodsburg
- (2) # of sick hours accrued to date
- (3) Reason for absence
- (4) # of incidents in a time period
- (5) Is there a past pattern of abuse of sick time
- (6) What impact-hardship did unscheduled absence have on the department

An employee's use of sick leave may be denied if the employee fails to provide adequate documentation for reason of absence.

Sick Leave Sharing

In the event of a prolonged or catastrophic illness or injury, or an extended absence of ten (10) consecutive days or more due to illness of an employee or his/her immediate family member, eligible employees that accrue sick leave, who have exhausted their sick and vacation leave balances, may have sick leave donated to them by other eligible employees, as follows:

1. For purposes of this policy an immediate family member is defined as a spouse, parent, child, step relatives of the same relation, or other persons of blood relationship who have resided with the employee for not less than thirty (30) days prior to application for this program.
2. Donors may donate an unlimited number of hours, provided that the donor maintains a minimum balance of one hundred sixty (160) sick leave hours. Employees with a balance of less than one hundred sixty (160) sick leave hours may not donate any time to this program.
3. Sick leave donations must be made in increments of eight (8) hours (one workday).
4. When the recipient of the donated sick leave returns to work, unused donated sick leave shall be returned to donors unless the recipient provides medical certification that he/she will require continued, periodic medical treatment relating to the original condition for which the leave was donated.
5. Completion of appropriate forms, including certification from a medical doctor verifying the nature of the illness, shall be required. Details regarding this program may be obtained from the Personnel Officer.

Family and Medical Leave Act of 1993

The Family and Medical Leave Act of 1993 requires “covered” employers with at least fifty (50) employees to provide “eligible” employees with up to twelve (12) workweeks of unpaid, job-protected leave in a twelve (12) month period for specified family and medical reasons.

Employee Coverage

The FMLA applies to all public agencies, including state, local, and federal employers. Thus, the City of Harrodsburg is a “covered” employer as defined in the legislation.

Employee Eligibility

To be eligible for FMLA benefits, an employee must:

1. Work for a covered employer
2. Have worked for the employer for a total of twelve (12) months;
3. Have worked at least one thousand two hundred fifty (1,250) hours over the previous twelve (12) months; and
4. Work at a location in the United States or in any territory or possession of the United States where at least fifty (50) employees are employed by the employer within seventy-five (75) miles.
5. When an employee is off work on Workers Compensation, Family Medical Leave and Workers Compensation must run concurrently. When out on Workers Compensation for 12 weeks or longer, the employee will have exhausted all of their FMLA entitlement for this event. While taking FMLA in conjunction with Workers Compensation the employee will not be paid for sick, vacation, or holiday time, they will only receive workers compensation benefits.

Leave Entitlement

The city will grant an eligible employee up to a total of twelve (12) workweeks of unpaid leave within a twelve (12) month period, beginning from the date an employee's first FMLA leave begins, for one or more of the following reasons:

1. For the birth and care of the newborn child of the employee;
2. For the placement with the employee of a son or daughter for adoption or foster care;
3. To care for an immediate family member (spouse, child, or parent) with a serious health condition; or
4. To take medical leave when the employee is unable to work because of a serious health condition

In the event the city employs both the husband and the wife, the aggregate amount of leave allowed for purposes of childbirth or adoption, or taking care of a sick parent is no more than twelve (12) work weeks during any twelve (12) month period.

Serious Health Condition

In context of this policy, a "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves one of the following:

Hospital Care – Inpatient care (i.e. an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity or subsequent treatment in connection with or consequence to such inpatient care.

Absence Plus Treatment – A period of incapacity of more than three (3) consecutive days (including and subsequent treatment of period of incapacity relating to the same condition), that also involves:

- A. Treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g. physical therapist) under orders of, or on referral by, a health care provider; or
- B. Treatment by a health care provider on at least one occasion which results in a regime of continuing treatment under the supervision of the health care provider.

Pregnancy – Any period of incapacity due to pregnancy, or for prenatal care.

Chronic Conditions Requiring Treatment – A chronic condition which:

- A. Requires periodic visits for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider;
- B. Continues over an extended period of time (including recurring episodes of a single underlying condition); and

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

Permanent/Long-term Conditions Requiring Supervision – Any period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer’s, a severe stroke, or the terminal stages of a disease.

Multiple Treatments (Non-Chronic Conditions) – Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury; or for a condition that would likely result in a period of incapacity of more than three (3) consecutive days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), and kidney disease (dialysis).

Notice

Birth or Adoption of a Child or Foster Care – Employees are required to give thirty (30) days notice of the need for leave when the need for leave is foreseeable. If the need for leave is not foreseeable, the employee must give as much notice as is reasonably practical. An employee’s right to leave for a birth or placement for adoption or foster care expires at the end of the twelve (12) month period beginning on the date of the birth or placement.

Planned Medical Treatment for Serious Health Condition – Employees are required to give thirty (30) days notice unless there is a medical emergency or unforeseen events. Where leave is necessary for planned medical treatment the employee is required to make a reasonable effort to schedule the treatment so as not to unduly disrupt the city’s operations.

Timing of Leave

The twelve (12) weeks leave may be taken consecutively, or intermittently if medically necessary. Employees needing intermittent FMLA leave must attempt to schedule their leave so as to not disrupt the city’s operations. The city reserves the right to assign such employee to an alternative position with equivalent pay and benefits during the period of intermittent leave if such position better accommodates the employee’s need for FMLA leave.

Certification

The city will require that a claim for medical leave be supported by a medical care provider’s certification. To comply with this requirement any employee requesting such leave will be provided with a copy of Form WH-380, Certification of Health Care Provider, developed and approved (March 1995) by the United States Department of Labor.

In the event the city has reason to doubt the adequacy of the medical certification, the city may seek a second, non-binding opinion at the city's expense. If that opinion differs from the opinion obtained by the employee, a third, binding opinion can be obtained, at the city's expense, from a health care provider agreed upon by both the employee and the city.

Substitution of Paid Leave

It is the policy of the city that employees will be required to substitute accumulated paid leave for FMLA leave. Respectively, the employee shall utilize sick leave and vacation leave in place of unpaid leave. To the extent the employee does not have twelve (12) weeks of accumulated leave, the remainder shall be unpaid leave.

Benefits During Leave

During the period of an employee's FMLA leave the city will continue to provide all health care benefits that are provided as part of the employee's employment.

Rights and Benefits Upon Return to Work

Upon return to work from FMLA leave, an employee shall be restored to the position he/she held when the leave began, or to an equivalent position with equivalent pay, benefits, and other terms and conditions of employment. In instances where an employee has taken FMLA leave due to personal illness, the employee will be required to provide certification from a medical care provider of the employee's fitness to return to work.

The city expressly reserves the right to deny the previous job to "key employees" in instances where such restoration would result in substantial and grievous economic injury to the city. "Key Employee" is defined as a salaried FMLA-eligible employee who is among the highest ten (10) percent of all city employees.

Disability /Worker's Compensation Leave

In the event that an employee is hurt on the job they should do the following:

1. Any employee hurt on the job should report the injury or illness to their immediate Supervisor and the Payroll/Human Resources office immediately. Disability leave is available to all employees for any injury which is compensable under Worker's Compensation laws. The injury is to be reported within twenty-four (24) hours to the Payroll Clerk whenever possible if on the weekend or holiday, the next business day.
2. Upon Seeing a physician the employee will provide the physician with information on the City's return to work program as well as forms for the physician to assess the extent of the injury, restrictions, and if and when the employee may return to work.
3. An employee that is hurt on the job should receive treatment at a physician's office or urgent treatment center rather than an emergency room, in order to keep costs down.

However, if the situation is urgent and specialized care is needed then seek treatment at the emergency room.

4. The employee will contract the Human Resources Office bi-weekly to update the City of Harrodsburg on the employees' condition and the ability /needs to return to work and provide them with a doctor's note.

5. The City of Harrodsburg has light duty assignments available for employees who are off work with a work related injury. If the employee has been evaluated and found to be able to participate in the light duty program by their physician and the employee chooses not to participate, the employee could jeopardize KLC paying their workers compensation claims and wages.

6. If the employee continues to be off work for an extended period of time, the City of Harrodsburg does have the right to request that the employee see a physician of their choosing for a second opinion.

7. Employees receiving Worker's Compensation benefits shall receive no pay from the city.

8. An employee off work for a prolonged injury or illness shall pay for the voluntary payroll deductions they want continued once a month or cancel them at the appropriate time.

9. Employees shall continue to accrue sick leave and earn vacation leave while on disability leave due to work-related injuries or illnesses, until such time as the employee may be separated from city employment.

10. The city will continue to pay the health insurance premium costs for the employee for a period of four (4) months after the employee no longer provides services to the city; after which time the employee will be responsible for the total costs until the employee returns to work or is terminated from city employment.

Special Leave

1. The City Commission may authorize special leaves of absence, with or without pay, for employees occupying regulation positions for any period or periods, for purpose deemed beneficial to the city.

2. In addition to authorized leaves, the City Commission may authorize an employee to be absent without pay for personal reasons for a period or periods not to exceed ten (10) working days in any calendar year. All vacation leave must be exhausted before a leave of absence without pay may be granted.

3. The Board of Commissioners may continue to pay health insurance premium costs for an employee on special leave at its discretion.

Military Leave (KRS 61.396)

1. Any employee occupying a full-time regular position with the city who is a member of the National Guard, a reserve component of the Armed Forces of the United States, or the Reserve Corps of the United States Public Health Service, shall be entitled to military leave for attending mandatory training, without loss of pay. In any calendar year such employees shall be entitled to paid leave as follows:
 - a. For intervals not exceeding twenty (20) calendar days or fifteen (15) working days if the employee's position is based upon a five (5) day work week;
 - b. Twelve (12) days if the employee's position is based upon a six (6) day work week;
 - c. Fifteen (15) days if the employee's position is based upon a seven (7) day work week.
2. An employee serving an introductory period that is required to attend mandatory military training shall have the length of the introductory period extended by the time required for training.
3. A written request, accompanied by a copy of the training orders, must be presented to the Personnel Manager not less than two (2) weeks prior to the beginning of the leave period.
4. Leave for training other than annual mandatory training must be arranged by employees for his/her non-working days, deducted from accumulated vacation, or be classified as leave without pay.
5. In the event an employee is called to active military duty, the provisions of federal law shall apply.

Funeral Leave

1. Leave for a death in an employee's immediate family is limited to three (3) work days beginning on the date of death and continuing through the funeral date if needed. A reasonable extension of time may be given at the discretion of the Commission through the supervising Commissioner.
2. Immediate family shall include parents, grandparents, spouse, children, grandchildren, brothers and sisters in any case.
3. Leave for a death of immediate in-laws; mother-in-law, father-in-law, brother-in-law, sister-in-law, aunts, uncles, and nieces, or nephews shall be limited to one work day. A reasonable extension of time may be given at the discretion of the Commission through the supervising Commissioner.
4. Approved funeral leave shall be taken with accumulated sick days.
5. Funeral leave of two or more days will require a funeral attendance sheet from management of the funeral home.

Voting Leave (KRS 118.035)

No person shall be penalized for taking a reasonable time off to vote, unless, under circumstances which did not prohibit him from voting, he fails to vote. Any qualified voter who exercises his right to voting under this section but fails to cast his vote, under circumstances which did not prohibit him from voting may be subject to disciplinary action.

Jury Duty/Court Leave

1. In the event an employee is requested to serve on a jury, he/she shall be compensated at the normal rate of pay while serving on jury duty. In order to receive their regular pay the employee shall be required to turn over to the city any reimbursement for jury duty. All employees serving on jury duty shall be absent from work only during the times required by the courts.
2. Police officers required to appear in court in a case in which they are involved shall be paid at the same rate of pay they normally receive. When court time and normal work hours exceed forty (40) hours in a specific workweek, the overtime rate shall be paid.
3. An employee involved in a personal case, either as a plaintiff or defendant, or an employee subpoenaed to testify in a suit not resulting from duties performed on behalf of the city, may be granted leave, provided such leave is deducted from the employee's accrued vacation time or classified as leave without pay.

Leave Request Form

Employees wishing to be compensated for any type of leave (sick, vacation, compensatory, etc.) taken from employment must complete and submit an appropriate leave request form. Employees will not be compensated for leave unless the proper request form has been submitted and approved. All employees are required to fill out a written request for leave in advance and submit to the department supervisor. If the department supervisor is requesting time off, he/she shall be required to fill out a written request to be approved by the Supervising Commissioner, Mayor, or CAO. Leave slips for the corresponding week will be attached to the time sheet and turned in to the Payroll Clerk.

Retirement-CERS Standard Unused Sick Leave Program

The city of Harrodsburg participates in the County Employees Retirement System, including the Standard Unused Sick Leave program. In this program the employee is allowed to accumulate an unlimited number of sick days during their tenure of employment, which may be applied to their length of service upon retirement. Specifically, the city will pay the cost of applying the sick time to the employee's length of tenure.

Details regarding this program may be obtained from the Personnel Officer.

Educational Assistance-Career Development

1. The city may pay for training development classes for its employees in an effort to enhance their professional and personal growth, and to improve the efficiency and effectiveness of the city's programs and operations.
2. Requests for training must be made in advance and approved by the City Commission. The city's ability to provide for training will depend upon the availability of funds. The assistance will be determined annually on an individual basis, and in a consistent and fair manner.

City Vehicles

City vehicles are for official use only, and shall not be utilized for personal use unless authorized by the City Commission. Employees violating this section will be subject to appropriate disciplinary action.

Cell Phone Policy

It is the obligation of employees assigned a cell phone to use their cell phone in a responsible manner. Department heads shall be responsible for reviewing cell phone usage and costs on the monthly billing of their employees. Employees are responsible for reviewing their monthly wireless bills and reimbursing the city for cost incurred for personal calls. Since the city has a contract where employees share minutes; if an employee uses most of the groups minutes causing other employees to go over their minutes and be charged; that employee will pay the additional expenses incurred by that group. Employees should secure their cell phones and accessories at all times and report any damaged, lost, or stolen equipment as soon as possible. The city will pay for the cost to replace one damaged, lost, or stolen cell phone per employee. After that it will be the responsibility of the employee to replace any phones or accessories. **(Also see page 23 s.)**

Expense Reimbursement

Any officer or employee of the city incurring expenses for prior approved city related business or training purposes shall be reimbursed as follows:

1. Reimbursement for lodging shall be at actual cost. The City of Harrodsburg pays for lodging only, any extras will be at the employee’s expense. (Phone calls, movies, liquor, etc.) **The City will only pay for basic accommodations (no suites, cabins, etc.)** If at all possible employees should share accommodations in order to save money.

2. Reimbursement for meals shall be made at the following rates:

<u>Reimbursement rates</u>		<u>Travel Times</u>
Breakfast	\$7.00	<u>5:00 a.m. through 9:00 a.m.</u>
Lunch	\$8.00	<u>11:00 a.m. through 2:00 p.m.</u>
Dinner	\$15.00	<u>5:00 p.m. through 9:00 p.m.</u>

Or as per Kentucky State reimbursement rates.

No employee may claim reimbursement for any meal is provided as part of a registration fee. Also, dinner reimbursement will only be provided for employees whose training requires overnight stay or whose training is dismissed after 5:00 p.m.

3. Use of an employee’s personal vehicle for City business will be reimbursed for mileage. The reimbursement rate shall be the same as the Kentucky State reimbursement rate which changers quarterly.

4. Other allowable travel expenses are as follows and shall be approved by the Commission prior to payment:

- a.) Meetings/training outside the state of Kentucky.
- b.) Air accommodations when they are utilized because of time involved or mileage costs (reimbursement shall be limited to regular fare unless there were no alternatives to flying first class.)
- c.) Rental care use will be reimbursed only when the use of such a vehicle is more feasible than any other type of transportation.

INSURANCE

Health Insurance

A health insurance plan is available to all full-time city employees upon completion of three (3) months of employment with the city. The city pays the cost for single coverage. Employees may purchase family coverage at group rates offered by the city's insurer.

All participating employees are subject to the terms and conditions of the group insurance plans provided by the city.

Full-time city employees who opt not to participate in the group health insurance plan are eligible to participate in the health flex plan.

Worker's Compensation Insurance

Worker's Compensation Insurance provides medical and hospitalization expense benefits as well as partial payment in lieu of salary for workers injured on the job. The city pays 100% of this form of insurance.

Unemployment Insurance

All employees are covered under this program. The City of Harrodsburg pays 100% of the cost for this coverage. An individual who terminated his/her employment with the city may or may not be eligible to receive payments under this program, depending upon the circumstances involved in the termination.

Social Security

The city and the employee both contribute to the Social Security Program at rates specified by the U.S. Congress.

Life Insurance

Regular full-time employees shall be provided a term life insurance policy with a face value as determined by the Board of Commissioners at the city's expense, upon completion of three (3) months of continuous employment.

Retirement

The city and employee both contribute to the County Employee's Retirement System at rates specified by the Commonwealth of Kentucky for regular full-time employees. Coverage begins after three (3) months of employment with the city.

CHART OF BENEFITS

EMPLOYEE BENEFITS	STANDARD BENEFITS	OPTIONAL BENEFITS
	Persons hired for full-time positions shall have the following benefits immediately upon hiring, unless otherwise noted:	Persons hired for full-time positions shall automatically have the following benefits <u>as</u> noted:
Holidays	X (Full-time only)	
Single Health Insurance		X (After 90 Days)
Life Insurance		X (After 90 Days)
Comp Time		X (Salaried Employees)
Retirement (CERS)		X (Beginning of Month Following 90 Days)
Vacation Leave		X (After 1 Year)
Sick Leave		X (After 3 Months)
Voting Leave	X	
Court Leave	X	
Military Leave	X	
Special Leave	X	
Clothing/Uniform Allowance	X (If Required)	
Educational Assistance		X (Upon Approval)

PERFORMANCE EVALUATION SYSTEM

Philosophy

The City of Harrodsburg's Performance Evaluation System is designed to provide employees of the city with a fair and simple evaluation system. This system will promote interaction between employees and supervisors, and will ultimately result in improved services to the citizens of Harrodsburg. An employee performance evaluation shall be used in determining salary advancements, promotions, and demotions.

The Objectives of the Evaluation System

The City of Harrodsburg Employee Performance Evaluation System was developed on several ideals, which are listed and defined below:

- a. Fairness to all employees: City employees are entitled to an evaluation system which is fair and equitable. Evaluations based on personal favoritism cannot be defended and will be avoided by this system. The performance of all employees will be judged according to the same criteria.
- b. Simplicity in administration: Simplicity of administration is a major objective. The evaluation form is a one page document that required a minimum amount of time to complete once the evaluation process is concluded. Employees and evaluators can understand, complete and administer the form without hindering everyday job performance.
- c. Improved quality of employee/supervisor communications: Communication between the employee and supervisor is central to the success of this performance evaluation system. Communication between the employee and supervisor concerning the nature of each job is the basis upon which the entire evaluation will depend. This system has been designed to encourage open dialogue so the employee understands what is expected of them in the performance of their jobs. The understanding will, in turn, allow employees to gauge their own progress, to develop self-confidence, and to improve job performance.
- d. Performance-based rating: All employee evaluation ratings will be based entirely on performance by the employee in his/her position and not on personal characteristics. Concise criteria, clear objective, and accurate job descriptions will ensure that the final rating received by the employee is an accurate reflection of his/her job performance.

Benefits of Evaluation System

- a. Employee evaluation ratings based on job performance are helpful to the employee, the supervisor, and ultimately, to the City of Harrodsburg.
- b. Employees will benefit from performance-based evaluation because the system will help the employee.
 - 1. Understand the priorities and expectations of his/her supervisor;
 - 2. Participate in his/her own career advancement; and
 - 3. Understand his/her work strengths and weaknesses.
- c. Ultimately, the City of Harrodsburg will benefit from performance-based employee ratings through:
 - 1. The development of more highly motivated employees;
 - 2. The stimulation of improved productivity and service to the public; and
 - 3. The maintenance of a more equitable personnel system.

Overview of Evaluation System

- a. The evaluation system outlines an evaluation process which requires an annual review of each city employee's performance. The review requires communication between evaluator and employee attained through a meeting. The following outline is a brief description of an evaluation meeting:
- b. Annual Rating of Performance
 - 1. Evaluate performance within each job category on evaluation form;
 - 2. Assign a rating to each category and an overall final rating of performance;
 - 3. Complete evaluator's summation;
 - 4. Discuss evaluation with employee;
 - 5. Complete employee response section of evaluation form;
 - 6. Complete reconsideration process if necessary;
 - 7. Review job description and make necessary revisions.
- c. The evaluator of each employee should be his/her first line supervisor. For a supervisor to qualify as the evaluator, he/she must have worked at least ninety (90) calendar days in the position.
- d. If a supervisor has supervised the employee for at least ninety (90) calendar days, and if he ceases to be the employee's supervisor after such period of time, he/she shall evaluate the employee at least five (5) working days prior to the day he/she ceases to the employee's supervision.

- e. If a supervisor ceases to be the supervisor of an employee due to the suspension, demotion, or dismissal of the supervisor, the next line supervisor shall evaluate the employee of the supervisor who left.
- f. If an employee transfers to a new job, he/she shall be evaluated by his/her prior supervisor if the supervisor has supervised the employee no less than ninety (90) calendar days prior to notification of his/her transfer.
- g. All employees shall be evaluated thirty (30) days prior to the anniversary date of employment.

Criteria for Evaluation

- a. The evaluation of each employee will be based on his/her job performance within each of five (5) job categories. These job categories include:
 - 1. Job knowledge/skills;
 - 2. Quality of work;
 - 3. Productivity;
 - 4. Improvement in performance
 - a. Work progress as an employee
 - b. Work progress as a supervisor;
 - 5. Employee conduct (Responsibility/Interpersonal Skills).
- b. The criteria to be used by the evaluator in performing evaluations are outlined here. **These criteria are intended only as a guide.** Criteria are listed for each of the job factors.
 - 1. Job Knowledge/Skills
 - a. Criteria for an “Exceeds” Performance Rating:
 - i. Employee has extensive knowledge of all phases of job.
 - ii. Employee is well-equipped with information and “expertise” needed to do the job.
 - iii. Employee knows required policies and procedures and understands other related jobs and functions within the organizational unit.
 - b. Criteria for a “Meets” Performance Rating:
 - i. Employee understands most phases of work and has sufficient knowledge to perform tasks with minimal assistance.
 - ii. Employee is willing to learn and take on new responsibilities.
 - c. Criteria for “Fails to Meet” Performance Rating:
 - i. Employee needs considerable assistance in job duties.
 - ii. Employee constantly asks how to do a job.
 - iii. Employee seldom wants to take on new responsibilities or

learn other jobs in the organizational unit.

2. Quality of Work

- a. Criteria for a “Exceeds” Performance Rating:
 - i. Employee’s work exemplifies exceptional degree of accuracy.
 - ii. Employee’s work is thorough, organized, and well planned.

- b. Criteria for a “Meets” Performance Rating:
 - i. Employee’s work results and products are in line with job standards and expectations.
 - ii. Employee’s work accuracy and/or thoroughness are in line with job standards and expectations.
 - iii. Employees work accuracy and/or thoroughness are in line with job standards and expectations.

- c. Criteria for “Fails to Meet” Performance Rating:
 - i. Employees work quality falls below acceptable degree of accuracy.
 - ii. Employees work is not thorough and/or requires corrections.

3. Productivity

- a. Criteria for “Exceeds” Performance Rating:
 - i. Employee frequently seeks, accepts and/or completes more than duties required.
 - ii. Employee often gets more done than peers in similar jobs.
 - iii. Employee may frequently and effectively work on multiple projects concurrently.

- b. Criteria for “Meets” Performance Rating:
 - i. Employees work achievement is appropriate to the duties assigned.
 - ii. Employee usually completes work on time.

- c. Criteria for “Fails to Meet” Performance Rating:
 - i. Employee is often behind in assignments.
 - ii. Employee often fails to complete work or completes work after due date.

4.1. Improvement in Performance (Work progress as an Employee)

- a. Criteria for “Exceeds” Performance Rating:
 - i. Employee exhibits an extremely high level of independent initiative by carefully examining better ways of performing tasks;

initiates actions and frequently originates ideas; identifies situations needing improvement and corrects them; makes the most of promising ideas or plans.

ii. Employee makes excellent and efficient use of resources such as other people, equipment, facilities and materials.

iii. Employee thoroughly obtains and provides facts and information related to the duties and responsibilities of the job; readily recognizes essentials of problems and can arrive at sound solutions and make decisions without constant close supervision.

iv. Employee arrives at independent conclusions and knows when to refer a problem to others.

b. Criteria for “Meets” Performance Rating:

i. Employee makes necessary decisions on day-to-day activities without needing supervision

ii. Employee learns and knows where to obtain necessary information for completing routine tasks directly related to his/her job and willingly goes to these sources.

iii. Employee recognizes and plans work to meet deadlines and does not waste time; even when no specific assignment is made, employee utilizes work time.

c. Criteria for “Fails to Meet” Performance Rating:

i. Employee does not work without constant supervision (not even on expected and assigned day-to-day activities).

ii. Employee exhibits little or no initiative; seldom originates new ideas.

iii. Employee does not use time efficiently; and/or takes unusually long amounts of time to complete tasks.

iv. Employees overall work progress continually falls below expectations.

4.2 Improvement in Performance (Work Progress as a Supervisor)

a. Criteria for “Exceeds” Performance Rating:

i. Supervisor gives credit to group and individual contributions when presenting results to supervisors and outsiders.

ii. Supervisor meets with employees on a periodic basis and provides specific direction(s) for improvement in given areas and explores new areas for continued professional growth.

iii. Supervisor motivates employees both by personal example and by individually assisting them in strengthening their overall competence and utilizing them to their maximum potential.

iv. Supervisor administers discipline to his/her employees in

accordance with established rules, regulations and procedures.

- b. Criteria for “Meets” Performance Rating:
 - i. Supervisor informs employees of job-related opportunities.
 - ii. Supervisor solicits employees’ input and participation in decisions which concern them..
 - iii. Supervisor provides feedback to employees on completed assignments in reasonable period of time.
 - iv. Supervisor carries out the proper steps for employee evaluations and discusses reasons for rating and reviews the employees strong and weak points.
- c. Criteria for “Fails to Meet” Performance Rating:
 - i. Supervisor prepares employee evaluation forms but fails to adequately follow through with discussions on employees performance.
 - ii. Supervisor approves leave time without adequate consideration of work load.
 - iii. Supervisor provides such close supervision that employee does not have sufficient latitude to develop professionally.
 - iv. Supervisor selects employees without fully matching specific job requirements with employees experience and training.
 - v. Supervisor fails to develop adequate lines of communication.

5. Employee Conduct (Responsibility/Interpersonal Skills)

Note: All elements considered to determine a rating in this job factor must relate directly to the employee’s job description.

- a. Criteria for an “Exceeds” Performance Rating:
 - i. Employee establishes priorities consistent with organizational goals and work objectives.
 - ii. Employee makes short and long range plans for meeting goals and objectives.
 - iii. Employee organizes work duties.
 - iv. Employee sets deadlines or meets/exceeds deadlines set by supervisor.
 - v. Employee cooperates with fellow employees and the general public in an exemplary manner.
- b. Criteria for “Meets” Performance Rating:
 - i. Employee carries out work goals and objectives set for him/her by supervisor.
 - ii. Employee follows work schedule of priorities set forth by

supervisor.

iii. Employee can be depended on to meet a set deadline.

iv. Employee is cooperative with co-workers and the general public he/she comes into contact with as a representative of city government.

c. Criteria for “Fails to Meet” Performance Rating:

i. Employee does not meet deadlines set by the supervisor.

ii. Employee does not cooperate with co-workers or those individuals he/she comes in contact with in carrying out duties.

iii. Employee does not perform in accordance with the priorities of his/her position in carrying out assigned duties.

Job Description

- A. The job description on the evaluation form must be completed at the beginning of the evaluation period. This description shall be completed in sufficient detail to convey to the employee the specific performance requirements of his/her job.
- B. If necessary, the job description shall be revised as the job duties change. If employee and evaluator disagree regarding content of job description, the Commissioner in charge of said department shall resolve any dispute.

Job Categories

There is space for the evaluator to check an appropriate evaluation for each of the five job categories. The evaluator should select the proper box for which the employee “Exceeds”, “Meets”, or “Fails to Meet” the performance criteria as established by the evaluator and the employee within the job description. The criteria defined in this manual should be used as a guide for determining the ratings within each job category.

Overall Rating by Evaluator

In this section the evaluator marks the overall rating of an employee. This rating is determined by the ratings of each of the five job categories. An employee can receive one of three potential overall ratings which are to be determined as follows:

- A. Exceeds: The employee receives an “Exceeds” rating in all five categories established for the employees’ job.
- B. Fails to Meet: The employee receives a “Fail to Meet” rating in all five categories established for the employees’ job. In this case, the evaluator shall provide the employee with suggestions for improvement and any beneficial training. Two

successive final ratings of “Fails to Meet” will result in demotion to a position commensurate with the employee’s abilities, or termination.

- C. Meets: The employee receiving any other combination of ratings in the job categories will receive an overall rating of “Meets”.

Reconsideration Rating

Reconsideration may be requested only after the yearly final rating. If a reconsideration is requested by the employee, both the evaluator’s final rating and the reviewer’s final rating will be noted on both sides of the evaluation form.

Evaluator’s Summation

- A. Evaluator shall state why an employee received an “Exceeds” or “Fails to Meet” rating in any of the individual job categories and will provide written justification for each of these ratings. The evaluator shall also provide written justification for any overall rating determined at the yearly employment date.
- B. If the employee has made a significant contribution to the city it shall be noted in this section. Suggestions for improvement in the employee’s job performance shall be noted in this section.
- C. The evaluator shall enter his/her signature, position title, and date completed in appropriate spaces.

Employee’s Response

- A. If the employee agrees with the evaluation, he/she shall check the appropriate box and may or may not wish to make comments in this section.
- B. If the employee disagrees, but accepts the evaluation, he/she shall check the appropriate box and may note in this section the reason(s) for disagreement.
- C. The employee must sign and date the evaluation form in this section. The employee’s signature does not necessarily indicate agreement with the evaluation. The response choices provided allow the employee to note he/she has reviewed the rating and either agrees or disagrees. If the employee refuses to sign the evaluation form, the evaluation will not be eligible for reconsideration.

Results of Reconsideration

When reconsideration is requested, the reviewer shall indicate results of the

reconsideration. The reviewer also signs the form, enters his/her position title and the date completed. The reconsideration rating shall be entered in the appropriate section on the front of the form.

Filing Evaluation Form

Once the evaluation is completed, the employee will receive a copy of the evaluation form with the final rating and copies of appropriate documentation. The evaluation form will then be filed in the city's central personnel office.

Reconsideration Meeting with Evaluator

Reconsideration may be requested only after the annual final evaluation.

- A. The first step in the reconsideration process is a face-to-face meeting between the employee and the evaluator to discuss the final rating. The reconsideration meeting shall be held at the request of the employee and shall be scheduled no sooner than two (2) working days and no later than five (5) working days after the final rating was first discussed with the employee.
- B. If the employee and the evaluator come to an agreement during this meeting the reconsideration process ends at this point. If the final rating is changed, the change must be noted in the "Reconsideration Rating" section on the front of the form. The department commissioner needs only to complete Section IV, certifying that proper procedures have been followed.
- C. If the employee does not agree with the final rating after the reconsideration meeting with the evaluator, and if the employee wishes a review of the evaluation, he/she must submit a written request to said commissioner within five (5) working days following the reconsideration meeting. The department commissioner will serve as the reviewer.
- D. When the reviewer receives a request to review a final rating, he/she must either obtain a written statement from the evaluator and the employee, or meet personally on an individual basis with both the employee and the evaluator to discuss the final rating.

Reviewer's Rating

- A. The reviewer shall make a determination of the appropriate final rating within fifteen (15) working days of receipt of a request for review and shall inform both employee and the evaluator in writing of the final rating. The reviewer makes a determination of a final rating only at the request of the employee.

- B. Once a rating is determined by a reviewer, the reviewer shall complete Section IV of the evaluation form. The reconsideration rating shall also be entered in the appropriate section on the front of the form.
- C. All written statements by the employee, the evaluator, and the reviewer shall be attached to the final evaluation form which shall be filed in the agency's central personnel file.
- D. Within thirty (30) days after the employee has received the written decision of his/her second line supervisor, he/she may appeal an evaluation to the Personnel Director.

Pay Increase

- A. To receive an exceptional pay increase, an eligible employee must have received a final rating of "Exceeds" after the evaluation, which requires ratings of "Exceeds" in all five job categories noted on the evaluation form.
- B. The amount of an exceptional increase will be determined by the Commissioner of said Department, and passed by a majority vote of the Board of Commissioners.

GRIEVANCE PROCEDURE

From time to time, differences may arise between employees and employers. Every attempt should be made by both to resolve these differences on an informal basis.

Pending failure of resolution on an informal basis, any grievance or dispute which may arise from employment with the city shall be resolved in the following manner:

Step One:

- a. The aggrieved employee shall present the grievance to his/her department head within five (5) working days of its occurrence, or within five (5) working days of knowledge of its occurrence.
- b. The grievance (and all subsequent appeals) shall be in writing, and shall set forth the reasons and grounds for the grievance along with a statement of the relief sought. The department head shall attempt to adjust the matter and shall respond to the employee in writing within five (5) working days.
- c. If the grievance is with the department head, the aggrieving employee will begin the grievance procedure at Step Two.

Step Two:

- a. If the grievance remains unresolved, it may then be presented by the aggrieved employee to the supervising Commissioner within five (5) working days after receiving the department head's written response.
- b. The Commissioner shall hear both parties and shall attempt to resolve the matter. The Commissioner shall respond to the employee in writing within five (5) working days.

Step Three:

- a. If the grievance remains unresolved, it may then be presented by the aggrieved employee to the City Commission within five (5) working days after receiving the supervising Commissioner's written response.
- b. The City Commission shall investigate the matter and may conduct a hearing if deemed appropriate. A decision shall be made regarding the matter within five (5) days from the date of receiving the grievance, and written documentation concerning the Commission's decision shall be provided to the employee. The decision of the City Commission shall be final.

Step Four:

If a grievance is against a member of the Board of Commissioners the aggrieved employee(s) shall present his grievance to another member of the City Commission. The City Commission shall investigate the matter in accordance with the provisions of Steps One and Three.

DRUG FREE WORKPLACE CERTIFICATION

Employees are hereby notified that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance (as defined in Schedule I through V of the Controlled Substance Act (21 U.S.C. 812), and as further defined by regulation at 21 CFR 1308.11 through 1308.15, including any future additions or amendments.) is prohibited in the workplace. As a condition of employment, employees will:

- A. Abide by the terms of the city's drug-free workplace policies
- B. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction

PENALTIES for drug abuse violations occurring in the workplace will include:

- Requiring the employee to participate satisfactorily in an appropriate drug abuse assistance or rehabilitation program; or
- Taking appropriate personnel action, up to and including termination

If a supervisor has reasonable cause to suspect an employee of illegal drug use on the job or reporting to work under the influence of the same, he/she is to refer the employee to the Personnel Manager for appropriate action. An employee reporting to work on medication prescribed by a personal physician, which impairs job performance, is to immediately notify his/her supervisor. The employee must submit a doctor's note indicating how the medication would affect his/her job performance and/or health and safety of others, so appropriate steps may be taken by supervisors to alleviate any hazards.

THE DRUG-FREE AWARENESS PROGRAM is intended to inform employees about:

- The dangers of drug abuse in the workplace
- The employer's intent of maintaining a drug-free workplace
- Any available drug counseling, rehabilitation, and employee assistance programs
- The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace

PLACE OF PERFORMANCE: All City of Harrodsburg work stations

I certify that I have read and will abide by the City of Harrodsburg's Drug-Free Workplace Policy.

Employee Signature

Date

SEVERABILITY

If any provision/s of these policies and procedures, classification plan, or compensation plan, or any provision/s of their subsequent application/s are held invalid, such invalidation does not affect the remainder of this ordinance or its application/s.

DISCLAIMER

Information included in these personnel policies and procedures, classification, and compensation plans is not intended to represent a contract, and may be changed by the city without notice.

The term “regular position” indicates the position(s) in each class created by ordinance. The class(es) and/or number of positions in each may be changed by the city without notice, and the employee(s) occupying the position(s) may be affected by such changes.

OTHER

The forty-five (45) position classifications listed in Appendix C are adopted by reference as if fully incorporated herein.

The pay schedules and salary ranges listed in Appendix C are adopted by reference as if fully incorporated herein.

REPEALER

Any prior ordinances that apply to the City’s personnel program shall be explicitly repealed.

CERTIFICATE OF RECEIPT

During your first six (6) months of employment, you will be an introductory employee. This is expected to be a period of adjustment and learning. This period should also be considered an employment test. You are not guaranteed employment during the initial introductory period nor are you guaranteed employment upon the completion of your initial introductory period.

These personnel policies are not a contract of employment. Any individual may voluntarily leave employment and may be terminated by the employer at any time and for any reason. Any oral or written statements or promises to the contrary are hereby expressly disavowed and should not be relied upon by any prospective or existing employee. The contents of these policies are subject to change at any time at the discretion of the employer.

It is your responsibility to be familiar with the contents of this manual. Its contents will help guide you toward job behavior that reflects credit upon you and the City of Harrodsburg.

I certify that I have received and read a copy of the Personnel Policies and Procedures of the City of Harrodsburg.

Employee Signature

Date

**CITY OF HARRODSBURG
POSITION CLASSIFICATION ALLOCATION**

<u>Position Classification starting pay</u>	<u>Recommended Grade</u>	<u>Salary Range</u>
<u>Administrative Office Classifications</u>		
		Revised Dec. 2014
City Administrative Officer	37	\$52,062.40-\$83,283.20
City Clerk/Treasurer/Tax Collector	33	\$42,827.20-\$68,515.20
Deputy City Clerk/Payroll Clerk	28	\$33,550.40-\$53,684.80
Occupational License Fee Administrator	28	\$33,550.40-\$53,684.80
Utility Office Supervisor	27	\$31,969.60-\$51,126.40
Senior Clerk	22	\$25,022.40-\$40,060.80
Office Clerk/Collections Clerk	20	\$22,713.60-\$36,337.60
<u>Police Department Classifications</u>		
Police Chief	33	\$42,827.20-\$68,515.20
Assistant Police Chief	30	\$36,982.40-\$59,176.00
*****starting pay different with these grades		
Police Lieutenant	28*	\$44,720.00-\$66,560.00 \$21.50
Police Sergeant	26*	\$40,560.00-\$59,904.00 \$19.50
Police Detective	24*	\$36,400.00-\$53,248.00 \$17.50
Corporal/Senior Police Officer	24*	\$32,240.00-\$46,592.00 \$15.50
Police Officer	22*	\$30,160.00-\$43,264.00 \$14.50
Police Recruit	21*	\$28,080.00-\$39,936.00 \$13.50
Ordinance Enforcement/Citation Officer	20	\$22,713.60-\$36,337.60
Senior Police Records Clerk	20	\$22,713.60-\$36,337.60
Police Records Clerk/Typist	19	\$22,713.60-\$36,337.60
Law Enforcement Telecommunications Supervisor	24	\$27,601.60-\$44,158.40
Law Enforcement Asst. Telecommunications Supervisor	22	\$25,022.40-\$40,060.80
Law Enforcement Telecommunications Shift Supervisor	21	\$23,857.60-\$38,147.20
Law Enforcement Telecommunicator	19	\$21,632.00-\$34,611.20
	Once certified	\$22,630.40-\$35,609.60 0.48
<u>Fire Department Classifications</u>		
Fire Chief	32	\$40,788.80-\$65,270.40
Assistant Fire Chief/Safety Coordinator Supervisor	30	\$36,990.06-\$59,184.09
Safety Coordinator/Firefighter/EMT		add 15% to current salary
Fire Captain	26	\$30,451.20-\$48,713.60-based on 2920 hrs
Lieutenant	24	\$27,601.60-\$44,158.40
Sergeant	23	\$26,291.20-\$42,057.60
Firefighter	22	\$25,022.40-\$40,060.80-based on 2920 hrs

**CITY OF HARRODSBURG
POSITION CLASSIFICATION ALLOCATION**

Water Treatment Facilities Classifications

Water Treatment Facilities Superintendent	29	\$39,520.00-\$63,232.00	\$19.00
Water Treatment Facilities Asst. Superintendent	26	\$35,713.60-\$57,141.76	\$17.17
Water Treatment Plant Class IV A/Senior Operator	24	\$34,320.00-\$54,912.00	\$16.50
Water Treatment Plant Operator IIIA	22	\$32,240.00-\$51,584.00	\$15.50
Water Treatment Plant Operator II/Operator in Training	20	\$29,120.00-\$46,592.00	\$14.00
Water Treatment Plant Operator I/Operator in Training	18	\$26,000.00-\$41,600.00	\$12.50
Water Treatment Plant Operator Trainee	17	\$23,920.00-\$38,272.00	\$11.50

Wastewater Treatment Facilities Classifications

Wastewater Treatment Facilities Superintendent	29	\$35,214.40-\$56,368.00	
Supervisor of Maintenance of Mechanical, Electrical Equipment, and Pumps at Wastewater Treatment Plant	26	\$30,451.00-\$48,713.60	
Wastewater Treatment Plant Operator III	24	\$27,601.60-\$44,158.40	
Laboratory Technician/Wastewater Plant Operator	22	\$25,022.40-\$40,060.80	
Wastewater Treatment Plant Operator II	20	\$22,713.60-\$36,337.60	
Wastewater Treatment Plant Operator I	18	\$20,612.80-\$32,968.00	
Wastewater Treatment Plant Operator Trainee	17	\$19,614.40-\$31,408.00	

Waste/Water Maintenance Classifications

Water/Wastewater Maintenance Superintendent	29	\$35,214.40-\$56,368.00	
Wastewater Collection Operator III	27	\$31,969.60-\$51,126.40	
Water Distribution System Operator	18	\$20,612.80-\$32,968.00	
Water Meter Reader	17	\$19,614.40-\$31,408.00	

Street and Parks Department Classifications

Street and Parks Maintenance Department Superintendent	29	\$37,294.40-\$56,368.00	
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Cemetery Department

Cemetery Superintendent	27	\$31,969.60-\$51,126.40	
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General Classifications

Public Service Worker I	17	\$21,694.40-\$31,408.00	
Public Service Worker II	18	\$22,692.80-\$32,968.00	
Public Service Worker III	21	\$25,937.60-\$38,147.20	

***Denotes a special grade**

***All positions are based on 2080 hours per year unless otherwise noted**