



# CITY OF HARRODSBURG

EMPLOYEE HANDBOOK  
2022 EDITION



Prepared for the City of Harrodsburg with assistance from  
the Kentucky League of Cities Personnel Policy Services

# City of Harrodsburg Mission Statement

## Mission Statement:

The City of Harrodsburg strives to provide a quality of service that fosters a feeling of security, safety, and connection with our community through open communications.

**S**trive to encourage our employees to provide excellent customer service by exhibiting positive attitudes, strong work ethic, and knowledge so they can make a difference within our community.

**E**nhance services for our citizens through well-kept properties/facilities and infrastructures in a fiscally responsible manner.

**R**etain qualified and highly motivated employees committed to fulfilling community expectations by encouraging continuing education and quality training.

**V**italize our city by providing awareness of our current services and implementing innovative ideas while searching for new avenues of growth.

**I**nnovatively utilize the infrastructure of city government to improve the quality of life for all citizens of Harrodsburg.

**C**reate, implement, and maintain procedures that ensure a well-run local government that provides quality services to our community.

**E**xcel by maximizing opportunities for social and economic development, maintaining an attractive, sustainable, and secure environment for the enjoyment of residents and visitors while preserving the rich history of our community.

# NOTICE

*The City of Harrodsburg Employee Handbook does not create any contractual or other legal rights. The personnel policies contained in this handbook do not alter the city's At-Will Employment Policy nor do they create an employment contract for any period of time. This handbook may be added to, terminated, or changed at any time by the City of Harrodsburg.*

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## **Section 1 – Introduction**

# About the City of Harrodsburg Handbook

The purpose of the City of Harrodsburg Employee Handbook is to establish a uniform system for managing personnel matters for all city employees. This handbook and the policies that it contains provide direction for you in the performance of your employment duties so that you can successfully contribute to the fulfillment of the city's mission.

The policies contained in this handbook are designed to reinforce the core values of the City of Harrodsburg. We believe that when you act in a manner consistent with the city's core values in your employment activities, both you and the citizens we serve will prosper.

The city's core values serve as the cultural foundation of the organization. They embody the spirit and collective conscience of the city and its employees. Our core values describe how we fulfill our mission by representing the enduring ideals and principles that guide our actions.

We believe:

- Kentucky's cities play an essential role in shaping the future of the commonwealth.
- Local decisions are best made at the local level.
- Our exceptional services help our city function effectively and enhance the quality of life within the city.
- Building and cultivating relationships with other governments, businesses, and individuals furthers the mission of the city.

We embrace:

- Customer service based on attentive listening and measured by timely and appropriate responses.
- Credibility built on a commitment to high ethical standards, accountability, competence, and nonpartisanship.
- Teamwork and continuous learning that drives improvement and innovation.
- Caring and mutual respect which foster a supportive working environment.

Regardless of your primary area of work concentration, you are foremost an employee of the City of Harrodsburg. While each city employee has different responsibilities, job duties, and departmental assignments in the organizational structure, employees are expected to work as a team toward the common goal of advancing the interests of the city.

We are pleased that you are part of the city family and hope you view your employment as an opportunity to help advance our community and thereby make it an even better place for future generations.

## City Government and Organization

- (1) The City of Harrodsburg operates under the commission form of government. Every city organized under the commission plan must have an elected officer who is called the mayor and four elected

commissioners. The mayor and commissioners together comprise the city commission. [KRS 83A.140(2); 83A.030(2)].

- (2) In the commission form of government, all executive, administrative, and legislative authority of the city is vested in and exercised by the city commission as a body. There is no separation of powers. The executive and legislative branches of government are combined in the city commission, except to the limited extent explained in subsection (4), Powers and Duties of the Mayor, below.
- (3) In the commission form of government, the city commission is required by KRS 83A.140(6) to separate all the administrative and service functions of the city into departments by ordinance. The ordinance must set forth the functions of the department and the duties and responsibilities of the commissioner assigned to that department and employees. Each department must be placed under the superintendence of one of the city commission members at the city commission's first meeting each year unless the city commission has created the office of city administrator. In that case, the city administrator may be delegated supervisory and administrative control over the departments and functions of the city government. KRS 83A.140(6) gives individual city commissioners authority to exercise certain executive and administrative powers as allocated by the commission on a day-to-day basis within their "superintendent" role; however, ultimate authority rests with the city commission acting as a body. In other words, the city commission acting as a body has the power to override any decision made or action taken by an individual commissioner.

(4) Powers and Duties of the Mayor

- a. In commission plan cities the mayor is a full functioning and voting member of the legislative body with only limited responsibilities and authorities as mayor. These responsibilities and authorities are the following:
  - 1. Preside at meetings of the commission.
  - 2. Call special meetings of the commission.
  - 3. Sign all bonds, notes, contracts, and written obligations of the city authorized by ordinance or resolution.
  - 4. Many state statutes assign the mayor, in all types of government, the authority and responsibility to appoint individuals to a number of boards and commissions. Each board or commission has different appointment requirements. Specific statutes applying to each board or commission should be consulted to determine the appropriate procedure.
  - 5. The mayor also acts as the ceremonial head of the city government and is recognized as the head of the city government by the governor for purposes of military law.

(5) Powers and Duties of the Legislative Body

- a. In commission plan cities, the commission has all executive and legislative authority not otherwise reserved for the mayor as stated in subsection (4), Powers and Duties of the Mayor, above. The executive and legislative authority held by the commission are:

1. Enact all codes, rules, and regulations for the general public's health, safety, and welfare.
2. Enforce city ordinances, orders, and all applicable statutes.
3. Supervise day-to-day operations of city government and the conduct of all city officers and employees.
4. Separate all the administrative and service functions of the city into departments by ordinance and assign a commissioner to oversee each department at the first meeting of each year.
5. Require each department to make reports as deemed necessary.
6. Promulgate procedures to ensure the orderly function of government.
7. Approve all contracts, bonds, notes, and other written obligations of the city.
8. Establish by ordinance all appointed offices and the duties and responsibilities of those offices.
9. Hire all city employees.
10. Appoint all nonelected officers.
11. Discipline and dismiss all city employees and nonelected officers at will unless tenure or terms of employment are protected by statute, ordinance, or contract.
12. Prepare, present, and administer the budget.
13. Provide sufficient revenues to operate city government through the adoption of the annual budget ordinance and by levying all taxes and establishing all fees and charges for city services.
14. Establish by ordinance, the compensation to be paid to all elected and appointed officers and employees of the city.
15. Call special meetings of the commission.

## **Effect, Amendment, and Application of Handbook Policies**

- (1) The City of Harrodsburg Employee Handbook (2022 Edition) contains information about the city's employment policies and procedures and an overview of the city's benefits. For specific information about employee benefits refer to the plan documents which are controlling. The policies and procedures in this handbook are guidelines only. The city reserves the right to interpret and administer the provisions of this handbook as needed. The provisions of this handbook will repeal and replace all previously adopted policies and procedures governing employment with the city.
- (2) Except for the policy of at-will employment which can only be changed in writing by the city commission, this handbook and any of the policies and procedures contained herein are subject

to change at the discretion of the city. The city may amend or terminate any policy or procedure contained in this handbook at any time, with or without notice. However, the city will endeavor to communicate any changes to all employees in a timely fashion.

- (3) Each employee should read and become familiar with the information contained in this handbook. Failure to comply with the city's policies or procedures may result in discipline up to and including termination.
- (4) The provisions in this handbook are not intended to in any way create any contractual obligations with respect to your employment.
- (5) These policies and procedures are intended to cover most personnel problems, actions, and issues which may arise. Those not specifically covered will be interpreted by the city commission; such interpretation will be in concert with the spirit and letter of these policies and procedures. In addition, the city commission may write administrative memoranda to interpret or clarify existing policies. These memoranda will have the force of policy and will be filed with the personnel policies and procedures.
- (6) The policies contained in this handbook apply to all nonelected officers and employees of the city regardless of their departmental assignment or primary responsibilities. These policies may also apply to volunteers, elected officials, and members of boards or commissions as required by state and federal law or as noted within the policy.

## **Employee Handbook**

The city clerk or deputy city clerk will ensure that a current copy of the employee handbook is prepared and distributed to all new and current employees. All employees are expected to read and sign the Handbook Acknowledgment (HR Form 01) within 30 days of employment or within 30 days of any amendment to the handbook. The city clerk or deputy city clerk will maintain a copy of the Handbook Acknowledgment Form in the employee's personnel file pursuant to the Kentucky Department of Libraries and Archives Record Retention Schedule.

## **Administration of the City Personnel System**

- (1) The city's policies are applied and enforced by the city commission and supervisory employees which include department supervisors. The city expects supervisory staff to foster a working environment where employees take the primary role in their own professional growth and development. Supervisory employees should provide continuous feedback to their employees regarding performance and should immediately address any potential infractions of these policies with employees.
- (2) To ensure fairness and consistency in all personnel matters, the city has designated individual commissioners, city clerk, or deputy city clerk to be responsible for general oversight of the city's personnel system and for all centralized personnel matters such as the recruitment and selection of employees, revision of job descriptions, wage and salary schedules, administration of benefit programs, and maintenance of personnel records.
- (3) Notification to the city commission, city clerk, or deputy city clerk and compliance with the procedures established by the city are required prior to a department supervisory employee or other employee conducting any interview for potential employment or internship, making any offer of employment or internship, or making any modifications to the compensation or benefits

of employees. No supervisory employee or other employee will alter, suspend, or fail to enforce or adhere to the policies contained in this handbook.

## **Conflicting Policies**

In the event of any conflicting policies, rules, or regulations, those that apply shall be based on the following in descending order: Kentucky Revised Statutes; City of Harrodsburg Code of Ordinances; the City of Harrodsburg Employee Handbook; and any departmental policy and procedures manual or written directives.

## **Severability**

If any provision of these policies or any procedure for their subsequent application is held invalid, such invalidation will have no bearing or effect on any other parts or sections.

## **Section 2 – Hiring and Employment**

# At-Will Employment

All city employees are at-will employees. This means there is no contract of employment, express or implied, and that either the city or the employee is free to terminate the employment relationship at any time, with or without cause. The city's At-Will Employment Policy will only be varied by a specific written agreement that is entered into and signed by the city commission and an individual employee. Therefore, nothing contained in this handbook, or any other document provided to the employee will be relied upon or interpreted to form a contract binding upon the city regarding any benefit, policy, procedure, or other term or condition of employment.

# Equal Opportunity Employer

- (1) The city is an equal opportunity employer. It is the city's policy to afford equal employment opportunity to all qualified persons regardless of race, color, religion, age, sex, sexual orientation, genetic makeup, gender identity, pregnancy, childbirth, pregnancy/childbirth-related medical conditions, national origin, disability, veteran or family status, an individual's status as a smoker or nonsmoker, or any other status or condition protected by applicable local, state, or federal laws, except where a bona fide occupational qualification applies.
- (2) The city's commitment as an equal opportunity employer extends to all its employment and personnel practices including job opportunities, promotions, pay and benefits, discipline, discharge, training, and other social and recreational activities sponsored by the city.
- (3) The harassment, retaliation, coercion, interference, or intimidation of any employee due to that employee's race, religion, color, national origin, sex, sexual orientation, genetic makeup, gender identity, pregnancy, childbirth, pregnancy/childbirth-related medical conditions, age, disability, veteran or family status, or because the employee is a smoker or nonsmoker is strictly forbidden. Any employee who experiences such treatment should immediately report it to their supervisor or other supervisory or management staff in accordance with the Sexual and Nonsexual Harassment Policy within Section 3 of this handbook.

# Americans with Disabilities Act (ADA)

- (1) The city will offer equal employment opportunities for qualified individuals who may have a physical or mental disability, including medical conditions related to pregnancy but who can still perform the essential job functions with or without reasonable accommodations. The city will provide reasonable accommodations to individuals qualifying under the Americans with Disabilities Act (ADA) only when that accommodation does not create an "undue hardship" to the city.
- (2) Any employee who feels they may need accommodation in order to perform their job functions should notify their immediate supervisor, the city clerk, or deputy city clerk, in writing. Because analysis under the ADA requires an open dialogue between the employee and the employer, the employee and the supervisor are encouraged to discuss the situation openly and involve the city clerk, deputy city clerk, city attorney, and other necessary staff as appropriate.
- (3) Medical information may be requested by the city to assist in understanding the employee's capabilities and limitations.



# Immigration Reform and Control Act (IRCA)

- (1) The city will comply with the Immigration Reform and Control Act of 1986 (IRCA), including Form I-9 requirements.
- (2) Under IRCA, all employers must complete an Employment Eligibility Verification Form, commonly known as Form I-9, for all current employees and maintain those forms in a separate file for the longer of either:
  - a. Three years from the first day of employment; or
  - b. One year after the employment ended.
- (3) IRCA prohibits employers from:
  - a. Knowingly hiring, recruiting, or referring for a fee, noncitizens who are not authorized to work in the U.S.
  - b. Requiring specific documents to complete Form I-9.
  - c. Retaliating against employees that file a charge or participate in an investigation.

## Application and Advertisement of Vacant Positions

When a vacancy occurs, current city employees may be notified of the vacancy by placing written notice(s) in strategic locations throughout city offices. Notices posted will include position title, summary of duties, position qualifications, and the time limit for applying. Employees who wish to apply for the position must present a completed Employment Application Form to the city clerk or deputy city clerk. The city commission may fill the vacancy by either promoting a current employee or employing a person from outside of the existing city government organization. When announcements of vacant position(s) are made outside of the organization, any of the following procedures may apply:

- (1) The city's open application policy allows persons interested in employment with the city to complete an Employment Application Form at any time regardless of whether a vacancy exists, indicating the position(s) applicable. A completed Employment Application Form will be considered active for a period of six months.
- (2) The city may advertise all vacant position(s) in a newspaper or other form of media. All announcements will include such information as where to apply, deadline for applications, pay range for the position, summary of duties, and position qualifications. All written announcements of vacant position(s) may contain the following statement, "An Equal Opportunity Employer." Written announcements of vacant position(s) may also include, "Any applicant who needs an ADA accommodation in the employment selection process will request the accommodation from the city clerk or deputy city clerk."

- (3) Guidelines for hiring of police officers are also contained within the Police Department Policy and Procedure Manual.

## **Application for Position**

- (1) An Employment Application Form supplied by the city and completed by the applicant will include information about the applicant's training, experience, and additional information as required. Upon request, the applicants will be given a copy of the job description stating the duties of the position.
- (2) No person may be appointed to a position unless information on the official Employment Application Form is verified, and they meet the qualifications for the position as set forth in the position description.
- (3) The Employment Application Form must be signed and dated by the applicant.
- (4) Guidelines for hiring of police officers are also contained within the Police Department Policy and Procedure Manual.

## **Promotions, Transfers, and Temporary Appointments**

- (1) Vacancies may be filled by transfer or promotion from within the city. Employees may apply for the position by submitting a written request through their supervisor, the city clerk, or deputy city clerk.
- (2) An employee may be transferred or promoted from one position to another only if the employee has the qualifications for a higher position. The same procedures as those authorized for ascertaining qualifications for initial appointment to a position will be followed.
- (3) Guidelines for hiring of police officers are also contained within the Police Department Policy and Procedure Manual.
- (4) All pertinent documentation of said transfer or promotion will be entered into the employee's personnel file.

## **Hiring and Selection**

- (1) Appointment to a position within the city will be made only after it has been determined the person being considered meets the qualifications set out in the current job description for which the appointment is made.
- (2) The policy will apply to current employees who request a transfer or promotion to a vacant position, as well as new applicants for employment or reemployment.
- (3) The qualification of an applicant for a position will be ascertained based on one or more of the following:
  - a. Information the applicant supplies on the official Employment Application Form.

- b. Written, performance, or physical tests or examination or any combination which may be required for the position.
  - c. Personal interview.
  - d. Information and evaluations supplied by references given by the applicant.
  - e. Prior to employment with the city, but only after an offer of employment with the city, the prospective employee must submit to and pass a pre-employment drug test.
  - f. Other appropriate information as determined.
- (4) Guidelines for hiring of police officers and firefighters are also contained within the Police Department Policy and Procedure Manual and the Fire Department Policy and Procedure Manual.
  - (5) All employees are appointed by the city commission.

## **Employment of Family Members**

- (1) Pursuant to the city's Ethics Ordinance, No. 1994-22:
  - a. No officer or employee of the city or a city agency shall advocate, recommend, or cause the employment, appointment, promotion, transfer, or advancement of a family member to an office or position of employment with the city or any city agency. No family member of an elected official or person appointed to an elective office shall be employed by the city or an agency of the city.
  - b. No officer or employee of the city or a city agency shall supervise or manage the work of a family member who is in the family members chain of supervision. A city commissioner shall not be considered in the chain of supervision if the employee works in another department supervised by another city commissioner.
  - c. No officer or employee shall participate in any action relating to the employment or discipline of a family member, except that this prohibition shall not prevent an elected or appointed official from voting on or participating in the development of a budget which includes compensation for a family member, provided that the family member is included only as a member of a class of persons or a group, and the family member benefits to no greater extent than any other similarly situated member of the class or group.
- (2) As used in this policy, the term "family member" means a spouse, parent, child, brother, sister, mother, father, son, daughter, grandparent, grandchild, or the equivalent in-law relative or step relative.

## **Background and Reference Checks**

- (1) It is the policy of the city to perform pre-employment background checks pursuant to KRS Chapter 335B. The purpose of performing these checks is to determine and/or confirm, within appropriate legal and professional limits, the qualifications and suitability of a candidate for the employment position for which the candidate is being considered. Many of the employees' job duties involve working closely with other employees and/or the public, significant city-related

driving, access to safety-sensitive and expensive tools and machinery, access to confidential information, or access to financial accounts. Therefore, criminal records may exclude candidates with certain criminal convictions that are determined to be job-related, as discussed below. This policy will help ensure that employment-related decisions utilizing pre-employment background checks are made in accordance with applicable law.

- (2) The city will perform pre-employment background checks on all candidates for employment once they have been offered the employment position by using the Background Check Release (HR Form 03). Review will be limited to information regarding only convictions that are determined to be job-related and consistent with business necessity as discussed below. In addition, if an employee changes positions within the city an additional criminal background check may be required.
- (3) Candidates for employment within the police and fire department may be subject to different requirements for pre-employment background checks. Please refer to the police and fire department policies and procedures for more information.
- (4) The city will also perform additional background checks on candidates for any position with the city's youth camps, including youth recreational leagues and programs, pursuant to KRS 194A.382 and 902 KAR 10:040. The city is prohibited from employing, contracting with, or allowing volunteer work from individuals who have been convicted of a criminal offense against a minor or a sex crime, who is a violent offender, or who has been found by the Cabinet for Health and Family Services (CHFS) or a court to have abused or neglected a child. As a condition of employment or involvement in the programs, the law requires:
  - a. A national and state criminal background check; and
  - b. A letter from the CHFS stating the employee, contractor, or volunteer is clear to hire based on no findings of substantiated child abuse or neglect found through a background check of child abuse and neglect records.
- (5) The city may require that employees identify any arrests or criminal convictions and complete a self-disclosure form. The city will individually evaluate any arrest or criminal conviction disclosed by an employee prior to deciding that employee's suitability for initial employment or continued employment.
- (6) In addition to KRS Chapter 335B, the city complies with the federal Fair Credit Reporting Act (FCRA), federal and state equal employment opportunity laws, and all other applicable legal authority that affect the performing of pre-employment background checks.
- (7) The results of a pre-employment background check are confidential and are only to be shared with employees of the city on a strict "need to know" basis.
- (8) Under no circumstances is having a criminal history or conviction an automatic exclusion to a candidate's eligibility for employment.
- (9) All candidates are required to sign appropriate authorizations and consents to allow the city to perform any pre-employment background checks.
- (10) Background checks are conducted in accordance with all applicable federal, state, and local laws, regarding criminal history information that may be obtained and used by the city for employment purposes.
- (11) This policy does not override city policy that candidates providing false or misleading information on their application, during an interview, or at any time during the hiring process,

may be eliminated from any further consideration. Candidates are expected to provide accurate and complete information and not to omit material information needed for the city to make a hiring decision.

- (12) Pre-employment background checks should normally be completed after a conditional offer of employment to the candidate. Therefore, all job offers should be conditioned upon satisfactory completion of the pre-employment background checks.
- (13) Prior to taking any adverse action as to a job candidate, appropriate pre-adverse and adverse action notices together with a copy of the report will be sent to the candidate pursuant to federal and any state FCRA laws.
- (14) All candidates will be individually reviewed by two commissioners and the appropriate supervisor. All supervisor candidates will be reviewed by the city commission. Decisions will be made with respect to employment based on the totality of the candidate's qualifications and the relevant results of the pre-employment background check.
- (15) In general, the relevance of a particular pre-employment background check to a candidate's eligibility for employment or employee's eligibility for continued employment, is based upon the following factors:
  - a. The nature and gravity of the offense for which the applicant or employee was convicted;
  - b. The time that has passed since the conviction and/or completion of the sentence; and
  - c. The nature of the job held or sought.
- (16) The city will only consider final adjudications of guilt, i.e., convictions and guilty pleas, for the potentially disqualifying offenses listed below, or other offenses determined to be job-related. Convictions that have been expunged, discharged, or otherwise vacated will not be considered. Various states use different terminology regarding convictions. Therefore, if it is unclear whether a certain offense resulted in a conviction, the city attorney should be consulted.
- (17) A criminal history or conviction does not automatically preclude a candidate's eligibility for employment. To assist supervisors and the city commission in reviewing criminal records, below is a list of convictions that may disqualify an applicant or employee from employment with the city:
  - a. Crimes Involving Violence, Theft, or Drug Distribution/Trafficking: Certain crimes involving violence, theft, or drug distribution/trafficking have been determined to be job-related to all positions within the city. Disqualification of applicants or dismissal of employees with certain convictions outlined below is consistent with federal and state requirements.
    1. Violent Crimes: The city has determined that felony convictions within the past seven years for crimes involving violence may disqualify an applicant or employee because of workplace violence concerns, the desire to provide a safe workplace for employees and customers, and because many of the city employees have significant interaction with customers and/or coworkers on a day-to-day basis and the city desires these interactions to be safe as well.
    2. Theft or Property-Related Crimes: The city has determined that felony convictions within the past seven years for crimes involving theft, dishonesty, breach of trust, or destruction of property may disqualify an applicant or

employee due to access to equipment and tools, inventory, proprietary information, and/or financial or confidential information.

3. Drug Distribution/Trafficking Crimes: The city has determined that felony convictions within the past seven years for crimes involving drug distribution or trafficking may disqualify an applicant or employee because these convictions also indicate a general disregard for federal, state, or local law.
  4. The city does not generally disqualify applicants or dismiss employees for drug possession or use convictions. This does not affect the application of its Drug- and Alcohol-Free Workplace Policy.
- b. Computer Crimes: Because of access to city confidential and proprietary information, customer information, financial information, and/or computer systems, the city has determined that felony convictions within the past seven years for computer-related offenses are job-related for management and office positions. Applicants or employees in these job categories who have been convicted of such computer crimes present an unacceptable risk to the city and may therefore be disqualified, absent mitigating circumstances.
  - c. Driving Crimes: To reduce potential city liability, the city must review applicant and employee driving records for jobs where the job duties include significant amounts of unsupervised city-related driving. The city will comply with all federal, state, and local requirements regarding motor vehicle record checks including but not limited to obtaining consent from the applicant or employee prior to requesting the record and complying with federal and/or state FCRA requirements. Felony convictions within the past seven years for vehicle-related offenses, including but not limited to driving under the influence (DUI) and driving while intoxicated (DWI), have been determined to be job-related and present an unacceptable risk to the city. Therefore, applicants and employees in positions that involve business-related driving who have been convicted of such offenses may be disqualified, absent mitigating circumstances.
  - d. Individualized Assessment: Before any applicant or employee is disqualified based on their criminal history, the applicant or employee will be given an opportunity to provide individual information regarding the circumstances of their criminal history. The city clerk or deputy city clerk will request that the applicant or employee submit a written, signed statement regarding their criminal history. The department commissioner, city attorney, and the position supervisor will consider all information provided by each applicant or employee to determine whether the information provided sufficiently mitigates the circumstances of the disqualifying conviction pursuant to KRS Chapter 335B.
- (18) Credit checks are generally not part of the background check process and are not used to make hiring decisions. In certain positions, such as treasury functions and accounts payable/receivable, a credit check may be performed due to the nature of the responsibilities for such jobs including access to city accounts, cash, and the ability to be bonded. Each applicant's or employee's credit history will be reviewed in the context of all other available information regarding the applicant or employee, to determine whether their credit history poses an unacceptable risk to the city. Such applicants or employees will be provided with an opportunity to explain their credit history prior to a final determination.

# Medical Examinations

- (1) In reviewing applicants' qualifications for certain positions and ensuring that currently employed workers are fit and capable of performing the essential functions of their positions, the city requires individuals to undergo physical examinations which can include drug tests.
- (2) The general purpose of these examinations is to determine whether the individuals being tested are physically able to perform the essential functions of the job in question without creating a significant threat to the safety or well-being of the individual, other employees, or members of the public. These examinations and tests are conducted on a nondiscriminatory basis and in conformance with the requirements of the Americans with Disabilities Act (ADA) and other federal, state, and local laws guaranteeing fair treatment and equal employment opportunity to individuals with disabilities and members of other protected groups.
- (3) Applicants for certain positions are required to undergo a post-offer physical examination that evaluates their fitness and ability to perform the essential functions of the positions for which they are being considered. All conditional offers of employment extended to candidates who are asked to undergo a physical examination are contingent on satisfactory completion of this requirement within the scheduled period.
- (4) In certain situations, the city can require currently employed workers to undergo a physical examination that evaluates their fitness and ability to perform the essential functions of their position.
- (5) Firefighters, EMTs, public works employees, and police officers may elect to receive a series of three hepatitis vaccine inoculations. The initial inoculation will be included in applicants' pre-employment physical if they so desire. The Pre-Employment Consent Form advises applicants of the availability of this optional screening.

# Employee Bonding

All applicants seeking city employment involving the handling of city funds or access to city financial accounts will be bondable and may be subject to a post-offer credit check. All employees involved in the handling of city funds or financial accounts will be bonded at the expense of the city.

# New Employee Orientation

- (1) An orientation will be made available to all new employees as soon as possible after their first day of employment.
- (2) The orientation will consist of the following:
  - a. Mission statement.
  - b. Organizational chart.
  - c. Overview of the city's management policies and procedures and explanation as to where located.
  - d. Other elements deemed appropriate.



- (3) A copy of the employee handbook will be made available to all employees at each workstation. A signed Handbook Acknowledgment (HR Form 01) of the original employee handbook and any revisions thereof will be required of all employees subject to these policies. The signed statement will be maintained in the employee's personnel file and retained pursuant to the Kentucky Department of Libraries and Archives Record Retention Schedule.
- (4) New hires may be introduced to all city department supervisors during their first week of orientation as well as to the city commission.
- (5) All new hires will be given a benefits package if they qualify. The deputy city clerk or city clerk will cover the benefits package with the employee and give them a due date when the package must be turned in to qualify for the benefits package. Failure to submit the package on the specified date may render the employee ineligible for some benefits.
- (6) The new employee's schedule and job description will be discussed. The deputy city clerk or city clerk will use the Job Description Review and Acknowledgment (HR Form 02) to ensure the employee understands expectations and is able to meet the physical requirements of the job. The Job Description Review and Acknowledgment Form and the job description will be signed and placed in their personnel file, and a copy will be given to the employee.
- (7) The deputy city clerk or city clerk will ensure that all required state and federal forms are completed and placed in their personnel file prior to the employee starting any physical work. All required information will be filed with the federal, state, and local governments.

## **Introductory Period for Police**

- (1) Police officers will serve an introductory period of 12 months. If an officer is required to complete basic training to receive certification, the introductory period will begin after successful completion of basic training.
- (2) While serving under the initial introductory period, police officers may be dismissed at any time without right of appeal unless otherwise provided by law.
- (3) Performance of police officers will be evaluated per the Police Department Standard Operating Procedures.
- (4) Completion of the introductory period in no way alters the at-will status of the employee.

## **Job Descriptions**

- (1) The city considers the job description prepared and maintained for every position as one of the most important documents to ensure effective hiring practices and to provide equal employment opportunity to all qualified individuals. The following procedures are designed to ensure the accuracy, completeness, timeliness, and fairness of the job descriptions:
  - a. Annually the deputy city clerk or the city clerk with the assistance of the supervisors, will review the city's job descriptions to ensure that they are accurate, complete, and up to date.
  - b. Whenever possible, the supervisor should seek employee input in reviewing the description's accuracy and completeness.



- c. The job descriptions should contain information that accurately reflects each position's essential functions, duties, responsibilities, purpose, working conditions, and reporting relationships as well as the knowledge, skills, and abilities required of employees.
- (2) Each time a job description is updated, the city clerk or deputy city clerk will use the Job Description Review and Acknowledgment Form to ensure the employee understands the job's expectations and is able to meet the physical requirements of the job. The Job Description Review and Acknowledgment Form and the job description will be signed and placed in the employee's personnel file, and a copy will be given to the employee.

## **Continuous Feedback on Employee Performance**

- (1) Employee performance will be evaluated by supervisors on a continuous basis.
- (2) Each January supervisors will meet with employees individually to set goals for the year.
- (3) Supervisors will coach employees by recognizing positive performance and providing constructive feedback for improvement. Supervisors will also regularly discuss employee progress toward their annual goal(s).
- (4) Supervisors will promptly provide appropriate feedback following the employee's performance. Supervisors will document these discussions on the Continuous Feedback (HR Form 19). The form will remain in the employee's personnel file.
- (5) Guidelines for performance evaluation of police officers are contained within the Police Department Policy and Procedure Manual.

## **Personnel Records**

- (1) A personnel file will be maintained for each city employee by the city clerk or the deputy city clerk. All changes in the status of employees will be recorded in these files, which will be retained and maintained in accordance with applicable state and federal laws.
- (2) The personnel file will include:
  - a. Employee's name, permanent address, and phone number.
  - b. Position title.
  - c. Completed application form.
  - d. Hiring date.
  - e. Departmental assignment.
  - f. Salary.
  - g. All changes in status as a city employee.
  - h. Disciplinary records.
  - i. Whatever additional information, city ordinances, other governing laws, or the city may require.

- (3) Information regarding the medical condition or history of an employee, including drug test results, will be collected and maintained on separate forms and in separate confidential medical files subject to disclosure only as permitted by law.
- (4) The Form I-9 will also be kept in a separate file in alphabetical order.

## **Change in Personal Information**

- (1) It is the responsibility of each employee to promptly notify the deputy city clerk or city clerk of any changes in personnel data by using the Change in Personal Information (HR Form 17). Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishments, and similar status reports should be accurate and current at all times.
- (2) For necessary changes to be made without penalty, changes of marital status and dependents must be made within 30 days of the qualifying event.

## **Access to Personnel Files**

- (1) The deputy city clerk or city clerk maintains a personnel file on each employee. The personnel file includes information such as the employee's job application, resume, documentation of performance appraisals, salary increases, and other employment records.
- (2) Personnel files are the property of the city and subject to the Open Records Act. Access to an employee personnel file is strictly controlled and granted only to authorized individuals who have a legitimate reason to review information in a file or as authorized under the Open Records Act. Employees will be notified of any request to view their personnel file.
- (3) With reasonable advance notice, employees may review their own personnel file in the presence of the deputy city clerk or city clerk.

## **Job References**

- (1) All requests for job references and inquiries regarding an individual's employment with the city will be forwarded to the city attorney for an appropriate response. The city attorney may consult with the city commission and may permit the employee receiving the request to respond, but the city attorney will review any response before it is finalized. This section will not prohibit an employee from being listed as a reference for an individual.
- (2) The city's policy on job references is to provide the information requested. The law may also require disclosure of incidents of workplace violence involving the employee to a potential employer.

## **Record Retention**

The city will maintain all city records pursuant to the Kentucky Department of Libraries and Archives Record Retention Schedule. A copy of the email retention requirements can be found in Appendix B of this handbook.

# Disciplinary Practices/Procedures

- (1) The city seeks to encourage employees to change problem behavior rather than focusing on punitive measures as a solution. In some instances, these efforts may fail or be an unsuitable response to an offense. In these instances, city supervisors may use the following disciplinary procedures, depending on the severity or frequency of the offense or problem behavior. Supervisors may use any of these disciplinary methods at any time. This list does not require a progressive disciplinary methodology to be used by supervisors:
  - a. Verbal warning, reprimand/coaching, or counseling by a supervisor.
  - b. Written reprimand/counseling by a supervisor.
  - c. Suspension with or without pay.
  - d. Demotion and/or reduction in pay.
  - e. Termination of employment.
- (2) The supervisor shall notify the city commission to initiate use of the disciplinary procedures in (c), (d), or (e) in section (1) of this policy.
- (3) Supervisors using the disciplinary procedures outlined in section (1) of this policy shall:
  - a. Document any disciplinary session or conference conducted for the purposes of correcting behaviors that are in violation of the policies contained in this handbook or are conducted with the intent to correct reoccurring issues related to employee performance on the Disciplinary Form (HR Form 18); and
  - b. Must provide a copy of any written documentation related to the use of disciplinary procedures to the deputy city clerk or city clerk for placement in the employee's personnel file. The deputy city clerk or city clerk shall provide a copy of the written documentation to the city commission.
- (4) For police officers, any general personnel matter will be handled as stated above; however, any external complaint filed against a police officer or any violation of law enforcement procedures, will require the city to follow the process outlined in KRS 15.520, once the officer has completed the introductory period. Information on police officer discipline is contained within the Police Department Policy and Procedure Manual.

## Demotion

- (1) An employee may be demoted upon recommendation of a supervisor on the Disciplinary Form with the approval of the city commission.
- (2) The provisions of KRS 15.520 shall regulate demotions of officers in the police department who have completed the introductory period only when involving an external citizen's complaint or any violation of law enforcement procedures.
- (3) All pertinent documentation of demotions including the Disciplinary Form shall be entered into the employee's personnel file.

# Suspension

- (1) The supervisor may:
  - a. When safety is a concern, suspend the employee with pay until the city commission reviews the violation provided the city commission has delegated this authority to the supervisor by executive order in accordance with KRS 83A; and/or
  - b. Request in writing on the Disciplinary Form (HR Form 18) that the city commission suspend the employee with or without pay. The request shall include the reason(s) for the suspension along with details of previous disciplinary action regarding the employee.
- (2) The city commission may suspend an employee with or without pay for any period up to and including four calendar weeks depending upon the severity of the offense; however, a maximum time limit shall not apply when an employee is suspended with or without pay due to an investigation of an alleged offense.
- (3) The suspended employee shall be notified of the suspension in writing. The notice shall include the reason(s) for and the duration of the suspension (if known).
- (4) Employees suspended without pay for a period of one calendar month or more shall forfeit fringe benefits, including accrual of sick and vacation leave as well as the city's contribution to any insurance benefits during the suspension.
- (5) If after an investigation, the city commission finds that the suspension was not warranted, the employee shall be reinstated to their position with back pay and benefits.
- (6) The provisions of KRS 15.520 shall regulate suspensions of officers in the police department who have completed the introductory period only when involving an external citizen's complaint or any violation of law enforcement procedures.
- (7) All pertinent documentation of said suspension shall be entered into the employee's personnel file.

# Voluntary and Involuntary Termination of Employment

- (1) The city commission has the authority to appoint and remove all city employees except as otherwise provided by statute, ordinance, or contract. Statutes that provide otherwise regarding the termination of employment include:
  - a. For police officers, KRS 15.520 applies to police officers that have completed the introductory period, and only to any external citizen complaint or a violation of law enforcement procedures, and requires a hearing conducted by the city in the manner prescribed by KRS 15.520.
  - b. For nonelected officers, KRS 83A.080 requires a written reason be provided to the nonelected officer upon termination.

- (2) Employees also have the right to terminate their employment at any time and for any reason. The city asks that they provide a written notice at least two weeks prior to their intent to leave to assist the city in the smooth transition of their job duties.
- (3) Employees cannot use accrued leave time, i.e., vacation, sick, personal, to extend the termination date. The employee's last day worked is the date of termination.
- (4) In the event employment is terminated for any reason, the employee must return all property of the city, including uniforms, keys, credit cards, mobile phones, computer software and hardware, proprietary and confidential materials, reports, and any other city property that may be in their possession. This property must be returned prior to the last day of their employment.
- (5) All pertinent documentation of said termination shall be entered into the employee's personnel file.

## **Layoffs (Reduction-in-Force)**

- (1) The city commission may lay off an employee or employees because of lack of work or funds. The order of layoffs shall be determined by the needs of the city.
- (2) Consideration will be given to both the seniority and merit of persons being considered for layoff.
- (3) Temporary employees, seasonal employees, and employees on an introductory period will be laid off before full-time employees within class(es) affected by the layoff.
- (4) The city commission will notify the employee(s) of the layoff in writing as soon as possible prior to the layoff. The notice will explain the reason(s) for and duration of the layoff (if known), and a copy of the layoff notice will be placed in the employee's personnel folder.
- (5) An employee who has given satisfactory service and is laid off may be eligible for reemployment in other positions if they meet the qualifications for the position and if the position is vacant.

## **Exit Interview**

All employees are asked to complete an exit interview with the human resources, deputy city clerk, or city clerk, and one city commissioner not over that employee's department upon termination of employment. This interview will enable the city to obtain information regarding why the employee resigned. The interview will also allow the city an opportunity to cover information for the employee on insurance, retirement, any other benefits, and for the return of city property, in addition to obtaining a forwarding address (if necessary), and any other required information.

## **Section 3 – General Employment Policies and Rules**

# Open Door Policy – Complaint Procedure

- (1) At the City of Harrodsburg, we encourage all employees/volunteers to meet with their immediate supervisor to discuss any employment issues or concerns that they may have. If the complaint is against a supervisor, or if the employee/volunteer feels more comfortable, they may discuss the issue with another supervisor, department supervisor, or the city commissioner over the department.
- (2) The city is committed to maintaining this Open Door Policy, where honest discussion of employee/volunteer concerns can take place in a safe and supportive environment.
- (3) Misunderstandings or conflicts can arise in any organization. To ensure effective working relations, it is important that such matters be resolved before serious problems develop. Most incidents resolve themselves naturally; however, if a situation persists that the employee believes is detrimental to them or to the city, they should bring their concerns to the attention of a supervisor, department supervisor, city attorney, or the city commissioner over the department.

## Sexual and Nonsexual Harassment

- (1) Sexual and nonsexual harassment of any kind is absolutely prohibited and will not be tolerated. Sexual and nonsexual harassment negatively affects morale, motivation, and job performance. It is inappropriate, offensive, and illegal.
- (2) Sexual harassment on the job is employment discrimination within the meaning of Title VII of the federal Civil Rights Act of 1964 and KRS Chapter 344. In general, sexual harassment means any unwelcome or offensive sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature. Sexual harassment can come from a supervisor, fellow employee, or a person other than an employee who has contact with the city employees. Sexual harassment is unacceptable and is prohibited at work and in work-related settings such as business trips, business-related meetings, conferences, and employee-related social events. Behavior that constitutes sexual harassment includes, but is not limited to:
  - a. Deliberate, repeated, or unsolicited verbal comments, gestures, or physical actions of a sexual nature toward another employee.
  - b. Approval, recommendation, or a refusal to take any personnel action with respect to an employee or applicant because of:
    1. The employee's or applicant's rejection of sexual advances, demands, favors, or sexual activity; or
    2. The employee's or applicant's reporting of a sexual advance or demand for sexual activity.
  - c. Explicit or implicit promises of preferential treatment regarding an individual's employment status in return for sexual favors or sexual activity.
  - d. Exercise or attempted exercise of the power or authority of one's position to control, influence, or affect the career, salary, job, or other employment conditions of an employee or applicant in exchange for sexual favors.

- e. Repeated sexual jokes, flirtations, advances, or propositions.
  - f. Graphic verbal commentary about an individual's body, sexual prowess, or sexual deficiencies.
  - g. Leering, whistling, touching, pinching, assaulting, coercing sexual acts, or sexual suggestive behavior, insulting, or obscene comments or gestures.
  - h. The display in the workplace of sexually suggestive objects, pictures, or reading material.
- (3) Any conduct that is intimidating or hostile and interferes with an employee's work performance is prohibited and will not be tolerated. This includes harassment because of an individual's race, religion, color, national origin, sex, sexual orientation, genetic makeup, gender identity or expression, pregnancy, childbirth, pregnancy/childbirth-related medical conditions, age, disability, veteran or family status, or because the employee is a smoker or nonsmoker.
- (4) Any employee who believes they have been subjected to sexual or nonsexual harassment should report the incident promptly to one of the following: their immediate supervisor, department supervisor, the city clerk, deputy city clerk, the city attorney, the city commissioner over the department, or any other supervisor with whom the employee feels comfortable discussing the matter. Employees are encouraged to make prompt reports of the incident to ensure a timely response and for remedial measures to be implemented, if necessary. However, all reports of sexual and nonsexual harassment shall be reviewed and investigated regardless of when the alleged misconduct occurred.
- a. All reports of sexual or nonsexual harassment shall be reduced to writing by the reporting employee or by the person receiving the report. Employees may use the Complaint Form (HR Form 14) for this purpose. The report shall be signed by the complaining employee or the person receiving the report. All reports will be kept confidential to the extent feasible and appropriate under the circumstances. The city clerk or deputy city clerk shall inform the mayor, city commissioners, and city attorney of the receipt of the complaint.
  - b. All reports of sexual and nonsexual harassment will be promptly investigated following the receipt of an incident report. The report will be investigated by the city commission and/or one or more members of the management staff designated by the city commission and the city attorney. The results of the investigation will be communicated to the complainant and to the alleged offender. Any employee found to have engaged in misconduct constituting sexual or nonsexual harassment will be disciplined up to and including dismissal. In addition, the city may take other steps to correct and prevent future incidents from occurring.
  - c. If the investigation results in a finding that any form of harassment has occurred in the city workplace, the city commission will create a written report and/or a written update of the action taken by the city commission as a result of the finding. If the investigation results in a finding that harassment did not occur, the city commission shall create a written report of the decision.
  - d. As provided under the Whistleblower Protection for City Employees Policy in Section 4 of this handbook, an employee making a report under this policy will not be discriminated against or be subject to retaliation in any way for having made the report. If an employee suffers any discrimination or retaliation for making a report, the employee should immediately alert a member of management. Any person found to



have been discriminated against or retaliated against an employee who makes a report shall be subject to disciplinary action, up to and including dismissal.

- (5) The city recognizes that the question of whether a particular course of conduct constitutes sexual or nonsexual harassment requires a factual determination. The city also recognizes that false accusations of sexual or nonsexual harassment can have serious effects on innocent parties. If an investigation results in a finding that a person who has accused another of sexual or nonsexual harassment has maliciously or recklessly made a false accusation, the accuser will be subject to appropriate sanctions, including discharge.
- (6) Training in sexual and nonsexual harassment will be provided by the city.
- (7) Nothing in this policy should be construed as eliminating any employee's rights under Title VII of the Civil Rights Act of 1964 as amended, or under KRS Chapter 344, or as conferring enforceable legal rights beyond those existing under applicable law.

## Workplace Violence

- (1) The safety and security of all employees is of primary importance to the city. Threats, abusive behavior, or acts of violence against employees, citizens, or other individuals by anyone on city property or off city property while performing job duties related to the city will not be tolerated. These types of actions will lead to referral to appropriate law enforcement agencies for arrest and prosecution. City employees who exhibit this type of behavior will be disciplined or discharged. The city may take any necessary legal action to protect its employees and will make every effort to assist any employee experiencing threats of violence.
- (2) Any person who makes threats, exhibits threatening behavior, or engages in violent acts on city premises shall be removed from the premises as quickly as safety permits and shall remain off city premises pending the outcome of an investigation. Any employee who makes threats, exhibits threatening behavior, or engages in violent acts while in performance of their employment duties shall be immediately suspended, pending the outcome of an investigation of the incident. Following the investigation, the city will initiate an immediate and appropriate response. This response may include but is not limited to, suspension and/or termination of any business relationship, reassignment of job duties, suspension or termination of employment, and/or criminal prosecution of the person or persons involved.
- (3) All employees are responsible for notifying city management personnel of any threats that they witness, receive, or that they are told another person witnessed or received. Even without a specific threat, all employees should report any behavior witnessed that they regard as potentially threatening, or violent, or which could endanger the health or safety of an employee, when the behavior has been carried out on a city-controlled site, or is connected to city employment, or city business. Employees are responsible for making this report regardless of the relationship between the individual who initiated the threatening behavior and the person or persons being threatened.
- (4) Employees are encouraged to notify either their supervisor, city clerk, or the deputy city clerk if an emergency protection order (EPO) or domestic violence order (DVO) has been issued for their protection.
- (5) The city will make every effort to assist an employee experiencing threats of violence. Assistance may include:

- a. Confidential means for coming forward for help.
  - b. Resource and referral information, e.g., employee assistance program.
  - c. Leave of absence consideration.
  - d. Special safety considerations at the workplace.
- (6) The city understands the sensitivity of the information requested and will respect the privacy of the reporting employee to the extent allowable by law. The city will endeavor to maintain the anonymity of a reporting party to the extent feasible for cooperation with appropriate law enforcement officials.
- (7) Any employee who acts in good faith by reporting real or implied violent behavior will not be subjected to any form of retaliation or harassment.
- (8) Only sworn law enforcement officers are required to carry concealed deadly weapons in the course of their employment with the City of Harrodsburg. For all other employees:
- a. Any other form of carrying a deadly weapon as defined in paragraph (9)(a) is not prohibited; however, any other form of carrying a deadly weapon as defined in paragraph (9)(b)-(g) is prohibited.
  - b. An employee carrying a deadly weapon in compliance with the City of Harrodsburg Employee Handbook while performing work for or while on duty for the city does so as a voluntary act and not at the direction or request of the city. Other than sworn law enforcement officers, no job descriptions or job duties in the city require an employee to possess a deadly weapon.
  - c. An employee that chooses to carry a deadly weapon in compliance with the City of Harrodsburg Employee Handbook has the responsibility to know the law as to where they can or cannot legally carry their deadly weapon. Some locations, including schools, prohibit the carrying of deadly weapons by persons other than sworn law enforcement. Failure to abide by lawful restrictions in those locations, even while performing work for the city or while on duty for the city, may result in personal liability, criminally and/or civilly.
  - d. An employee that uses a deadly weapon may incur personal liability and the city may or may not indemnify the employee for such use.
- (9) Deadly weapon shall be defined as:
- a. Any weapon from which a shot, readily capable of producing death or other serious physical injury, may be discharged.
  - b. Any knife, except an ordinary pocketknife or other knife routinely used in the performance of city duties.
  - c. Billy, nightstick, or club.
  - d. Blackjack or slapjack.
  - e. Nunchaku karate sticks.
  - f. Shuriken or death star.
  - g. Artificial knuckles made from metal, plastic, or other hard material.

# Workplace Safety

The city prioritizes a safe working environment for its employees and the public. As such the city has created a separate Safety Handbook that must be followed by all city employees. A copy of the Safety Handbook is on file with the city clerk and deputy city clerk.

## Reporting Work-Related Accidents

- (1) Employees are required to immediately report any work-related accidents, illnesses, or injuries. The proper reporting of such matters is critical to ensure that an employee receives all benefits to which they are entitled under the Kentucky Workers' Compensation Act.
- (2) For the employee's protection, work-related injuries, accidents, or illnesses must be reported the day that they occur, unless extenuating circumstances prevent the employee from reporting within that time frame.
- (3) The employee must call the "Company Nurse" on the Injury Hotline at **855.339.1889**.
- (4) The department supervisor shall be notified of all accidents involving city employees and/or city equipment as soon as possible, but in no event later than the next workday.
- (5) Accidents involving either city-owned vehicles or personal vehicles being operated for city business shall be reported to law enforcement for investigation.
- (6) The city places great importance on this policy. All employees are obliged to comply. Any employee that is discovered to have been aware of a serious accident and failed to report it will face appropriate disciplinary consequences.
- (7) Guidelines for police officers and firefighters are also contained within the Police Department Policy and Procedure Manual and the Fire Department Policy and Procedure Manual.

## Drug- and Alcohol-Free Workplace

- (1) The city's mission is to ensure that all public service is delivered safely, efficiently, and effectively. This mission is accomplished by establishing a drug- and alcohol-free work environment and ensuring that the workplace remains free from the effects of drugs and alcohol thereby promoting the health and safety of employees and the general public. In keeping with this mission, the city declares that the unlawful manufacture, distribution, dispensing, possession, use of controlled substances, or misuse of alcohol is prohibited for all employees. Violation of the city's zero-tolerance policy relating to on-the-job possession, distribution, use, or sale of illegal drugs shall result in immediate dismissal from employment with the city.
- (2) All employees are expected to read and sign the Drug- and Alcohol-Free Workplace Policy Acknowledgment (HR Form 06) within 30 days of employment or within 30 days of any amendment to the policy.
- (3) This policy is intended to comply with all applicable federal and state regulations governing workplace anti-drug and alcohol programs. The U.S. Department of Transportation (USDOT) has also published 49 CFR Part 40, as amended, that sets standards for the collection and testing of urine and breath specimens, as well as 49 CFR Part 199, that sets the standards for

gas pipeline workers. Under Kentucky law, the city has also chosen to follow the requirements of 803 KAR 25:280 to become a Certified Drug-Free Workplace.

- (4) The city and all commercial driver's license (CDL) employees are federally mandated to comply with the registration and reporting requirements of the Federal Motor Carrier Safety Administration (FMCSA) Clearinghouse under 49 CFR Part 382. This includes the city's obligation to perform pre-employment queries for all CDL applicants, perform annual queries for all CDL employees, and report certain violations or activity as required under 49 CFR Part 382.
- a. CDL employees shall register with the FMCSA Clearinghouse website and shall provide the necessary consent for the city to perform clearinghouse queries, including electronic authorization for all full queries. If an employee fails to provide consent as required under this section, the employee is unable to perform safety-sensitive functions under federal law, and the employee will be removed from duty. The refusal to provide consent shall also be considered a violation under this policy and the employee may be subject to disciplinary action including termination.
  - b. Pursuant to 49 CFR. 382.705, the following shall be reported to the Clearinghouse, with any required documentation as outlined in the regulation, by the close of the third business day following the date on which the information was obtained:
    1. An alcohol confirmation test result with an alcohol concentration of 0.04 or greater;
    2. A negative return-to-duty test result;
    3. A refusal to take an alcohol test pursuant to 49 CFR 40.261;
    4. A refusal to test determination made in accordance with 49 CFR 40.191(1)(a) through (4), (6)(a), (8)(a) through (11), or (1)(d), but in the case of a refusal to test under (11)(a), the employer may report only those admissions made to the specimen collector; and
    5. A report that the driver has successfully completed all follow-up tests as prescribed in the substance abuse professional (SAP) report in accordance with §§ 40.307, 40.309, and 40.311 of this title.
  - c. The information in (4)(b) above must include, as applicable:
    1. Reason for the test;
    2. Driver's name, date of birth, CDL number and state of issuance;
    3. Employer name, address, and USDOT number;
    4. Date of the test;
    5. Date the result was reported; and
    6. Test result. The test result must be one of the following:
      - (a) Negative (only required for return-to-duty tests administered in accordance with § 382.309);
      - (b) Positive; or

- (c) Refusal to take a test.
- d. For each report of a violation of 49 CFR 40.261(a)(1) or 40.191(a)(1), the employer must report the following information:
  - 1. Documentation including but not limited to electronic mail or other contemporaneous record of the time and date the driver was notified to appear at a testing site; and the time, date, testing site location at which the employee was directed to appear, or an affidavit providing evidence of such notification;
  - 2. Documentation including but not limited to electronic mail or other correspondence, or an affidavit, indicating the date the employee was terminated or resigned (if applicable);
  - 3. Documentation including but not limited to electronic mail or other correspondence, or an affidavit, showing that the C/TPA reporting the violation was authorized to act as a service agent for an employer who employs themselves as a driver pursuant to paragraph (b) of this section when the reported refusal occurred (if applicable); and
  - 4. Documentation including a certificate of service or other evidence, showing that the employer provided the employee with all documentation reported under paragraph (b) of this section (if applicable).
- e. Employers must report the following violations by the close of the third business day following the date on which the employer obtains actual knowledge, as defined at § 382.107, of:
  - 1. On-duty alcohol use pursuant to § 382.205;
  - 2. Pre-duty alcohol use pursuant to § 382.207;
  - 3. Alcohol use following an accident pursuant to § 382.209; and
  - 4. Controlled substance use pursuant to § 382.213.
- f. For each violation in paragraph (4)(e) of this section, the employer must report the following information:
  - 1. Driver's name, date of birth, CDL number and state of issuance;
  - 2. Employer name, address, and USDOT number, if applicable;
  - 3. Date the employer obtained actual knowledge of the violation;
  - 4. Witnesses to the violation, if any, including contact information;
  - 5. Description of the violation;

6. Evidence supporting each fact alleged in the description of the violation required under paragraph (4)(e) of this section, which may include but is not limited to affidavits, photographs, video or audio recordings, employee statements (other than admissions pursuant to § 382.121), correspondence, or other documentation; and
  7. A certificate of service or other evidence showing that the employer provided the employee with all information reported under paragraph (b) of this section (if applicable).
- (5) This policy is intended to apply whenever anyone is representing or conducting business for the city. Accordingly, this policy applies during all working hours, while on call, paid standby, and while performing work on behalf of the city while on or off city property. The policy applies to all city employees with special provisions designated to those employees identified as having responsibilities requiring a heightened safety-awareness level (HSAL). Those "safety-sensitive" positions identified as requiring a heightened safety-awareness level include but may not be limited to:
- a. Police officers;
  - b. Firefighters;
  - c. Paramedics/Emergency Medical Technicians (EMTs);
  - d. Heavy equipment operators;
  - e. Lifeguards;
  - f. Employees driving CDL-regulated vehicles;
  - g. Mechanics who work on these regulated vehicles;
  - h. Solid waste/sanitation drivers;
  - i. Wastewater and sewage treatment plant operators;
  - j. Operators of non-CDL vehicles who transport senior citizens, people with disabilities, and children;
  - k. Employees who insert chemicals into city water, as well as those that test water; and
  - l. Employees who supervise children and child-related activities.
- (6) Definitions of terms used throughout this policy:
- a. *Accident* means an occurrence associated with the operation of a vehicle or equipment, if as a result:
    1. A person dies.
    2. An individual suffers a bodily injury and immediately receives medical treatment away from the scene of the accident.
    3. An employee receives a citation within eight hours of the occurrence under state or local law for a moving traffic violation arising from the accident, if the accident involved:

- (a) Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
  - (b) One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.
- 4. The employer could reasonably believe that employee drug or alcohol use could have contributed to an incident.
- b. *Actual knowledge* is defined by 49 CFR 382.107. Actual knowledge means actual knowledge by an employer that a driver has used alcohol or controlled substances based on the employer's direct observation of the employee, information provided by the driver's previous employer(s), a traffic citation for driving a commercial motor vehicle (CMV) while under the influence of alcohol or controlled substances, or an employee's admission of alcohol or controlled substance use, except as provided in §382.121. Direct observation as used in this definition means observation of alcohol or controlled substances use and does not include observation of employee behavior or physical characteristics sufficient to warrant reasonable suspicion testing under §382.307. As used in this section, "traffic citation" means a ticket, complaint, or other document charging driving a CMV while under the influence of alcohol or controlled substances.
- c. *Adulterated specimen* is a specimen that contains a substance that is not expected to be present in human urine, or contains a substance expected to be present but is at a concentration so high that it is not consistent with human urine.
- d. *Alcohol* means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols contained in any beverage, mixture, mouthwash, candy, food, preparation, or medication.
- e. *Alcohol concentration* is expressed in terms of grams of alcohol per 210 liters of breath as measured by an evidential breath-testing device or in blood alcohol content (BAC) when required for post-accident testing.
- f. *Canceled test* is a drug test that has been declared invalid by a medical review officer. A canceled test is neither positive nor negative.
- g. *Consortium* means an entity which may involve varied pools of employers and their employees, established to provide cost-effective services to employees to help the employers comply with the drug-free workplace program requirements.
- h. *Designated Employer Representative (DER)* is an employee authorized by the employer to take immediate action to remove employees from safety-sensitive duties and to make required decisions in testing. The DER also receives test results and other communications for the employer, consistent with the requirements of 49 CFR Parts 40 and 382. Additionally, the DER and/or their designee ensure compliance with the DOT Clearinghouse requirements for employees with CDLs. For purposes of this policy, Safety Coordinator and Assistant Police Chief are the DERs.
- i. *Department of Transportation (DOT)* is the department of the federal government which includes the U.S. Coast Guard (USCG), Federal Transit Administration (FTA), Federal Railroad Administration (FRA), Federal Highway Administration (FHA),

Federal Motor Carrier Safety Administration (FMCSA), Research and Special Programs, and the Office of the Secretary of Transportation.

- j. *Dilute specimen* is a specimen with creatinine and specific gravity values that are lower than expected for human urine.
- k. *Disabling damage* means damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated. This does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, taillights, turn signals, horn, mirrors, or windshield wipers that makes them inoperative.
- l. *Employee* is defined in KRS 342.640 as every person in the service of the city, under any contract of hire, express or implied, and every official or officer of those entities, whether elected or appointed, while performing their official duties; every person who is a member of a volunteer ambulance service, fire, or police department; and every person who is a regularly enrolled volunteer member or trainee of an emergency management agency as established under KRS Chapters 39A to 39E.
- m. *Employee Assistance Program (EAP)* means an established program providing:
  - 1. Professional assessment of employee personal concerns.
  - 2. Confidential and timely services to identify employee alcohol or drug abuse.
  - 3. Referral of employees for appropriate diagnosis, treatment, and assistance regarding employee alcohol or substance abuse.
  - 4. Follow-up services for employees who participate in a drug or alcohol rehabilitation program and are recommended for monitoring after returning to work.
- n. *Evidentiary Breath-Testing Device (EBT)* is a device approved by the National Highway Traffic Safety Administration (NHTSA) for the evidential testing of breath at the 0.02 and the 0.04 alcohol concentrations. Approved devices are listed on the NHTSA-conforming products list.
- o. *Federally regulated employees (FRE)* are those designated in DOT regulations as safety-sensitive employees and include those regulated by the Federal Aviation Administration (FAA) (aviation), Federal Motor Carrier Safety Administration (FMCSA) (commercial motor carriers), Pipeline and Hazardous Materials Safety Administration (PHMSA) (gas pipeline), and Federal Transit Administration (FTA) (transit). These employees include anyone with a commercial driver's license (CDL) or mechanics who work on CDL vehicles.
- p. *Heightened Safety-Awareness Level (HSAL) (safety-sensitive) positions* are those positions involving special, dangerous, and skilled activities and those that would involve exceptional duty to community citizens in the area of public safety.
- q. *Medical Review Officer (MRO)* means a licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by the drug testing program who has knowledge of substance abuse disorders and has appropriate medical



training to interpret and evaluate an individual's confirmed positive test result, together with their medical history, and any other relevant biomedical information.

- r. *Negative dilute* is a drug test result which is negative for the five drug/drug metabolites but has a specific gravity value lower than expected for human urine.
- s. *Negative test result* for a drug test means a verified presence of the identified drug or its metabolite below the minimum levels specified in 49 CFR Part 40, as amended. An alcohol concentration of less than 0.02 BAC is a negative test result.
- t. *Non-negative test result* is a test result found to be adulterated, substituted, invalid, or positive for drug/drug metabolites.
- u. *Performing a safety-sensitive function* includes any period in which an employee is performing, ready to perform, or immediately available to perform such functions.
- v. *Positive test result* for a drug test means a verified presence of the identified drug or its metabolite at or above the minimum levels specified in 49 CFR Part 40, as amended. In addition, the claimed use of CBD product shall not be considered a medical excuse for a positive marijuana test. A positive alcohol test result means a confirmed alcohol concentration of 0.04 BAC or greater.
- w. *Prohibited drug* means cannabinoids/THC, cocaine, opiates, amphetamines, or phencyclidine at levels above the minimum thresholds specified in 49 CFR Part 40, as amended. In addition, the city tests for benzodiazepines, propoxyphene, methaqualone, methadone, barbiturates, synthetic narcotics, illicit substances, and volatile substances as defined by KRS 217.900, KRS 218A.010, 803 KAR 25:280 and 902 KAR 55, as amended.
- x. *Rehabilitation program* means a service provider that provides confidential, timely, and expert identification, assessment, treatment, resolution of employee drug or alcohol abuse, and may include inpatient or outpatient programs as well as the EAP.
- y. *Safety-sensitive functions* include:
  - 1. The operation of a vehicle by an employee when the operation of the vehicle requires the driver to hold a CDL.
  - 2. Maintaining a CDL vehicle or equipment used in repair of CDL vehicles.
  - 3. The essential functions of actions performed by employees are considered to establish HSAL positions.
- z. *Substance* means drugs or alcohol.
- aa. *Substance Abuse Professional (SAP)* means a licensed physician (medical doctor or doctor of osteopathy), licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission or by the International Certification Reciprocity Consortium/Alcohol and other Drug Abuse) with knowledge of and clinical experience in the diagnosis and treatment of drug- and alcohol-related disorders.
- bb. *Substituted specimen* means a specimen with creatinine and specific gravity value that is so diminished that it is not consistent with normal human urine.

- cc. *Test refusal* is when an employee does any of the following:
1. Fails to appear for any drug or alcohol test (except a pre-employment test) within a reasonable time, as determined by the employer, consistent with any applicable DOT agency regulations after being directed to do so by the employer.
  2. Fails to remain at the testing site prior to the commencement of the test and until the testing process is complete provided that an employee who leaves the testing site before the testing process commences for a pre-employment test is not deemed to have refused to test.
  3. Fails to provide urine, saliva/breath, or blood specimen for any drug or alcohol test, required by regulations or this policy.
  4. In the case of a directly observed or monitored collection in a drug test, fails to permit the observation or monitoring of the employee's provision of a specimen.
  5. Fails to provide a sufficient amount of urine or breath when directed, and it has been determined through a required medical evaluation that there was no adequate medical explanation for the failure.
  6. Fails or declines to take an additional drug or alcohol test the employer or collector has directed the employee to take.
  7. Fails to undergo a medical examination or evaluation as directed by the MRO as part of the verification process, or as directed by the DER. In the case of a pre-employment drug test, the employee is deemed to have refused to test on this basis only if the pre-employment test is conducted following a contingent offer of employment. If there was no contingent offer of employment, the MRO will cancel the test.
  8. Fails to cooperate with any part of the testing process, e.g., refuses to empty pockets when directed by the collector, behaves in a confrontational way that disrupts the collection process, and/or fails to wash hands after being directed to do so by the collector.
  9. Is reported by the MRO as having a verified adulterated or substituted specimen.
- dd. *Verified negative test* means a drug test result reviewed by a MRO and determined to have no evidence of prohibited drug use above the minimum cutoff levels established by the Department of Health and Human Services (HHS).
- ee. *Verified positive test* means a drug test result reviewed by a medical review officer and determined to have evidence of prohibited drug use above the minimum cutoff levels specified in 49 CFR Part 40, as revised.
- ff. *Validity testing* is the evaluation of the specimen to determine if it is consistent with normal human urine. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the specimen was substituted.

- (7) Education and training required for this policy.

- a. Every employee will receive a copy of this policy and will have ready access to the corresponding federal and state regulations including 803 KAR Parts 25 and 49 CFR Parts 40 and 382, as amended. In addition, all covered employees will undergo a minimum of 60 minutes of training on the signs and symptoms of drug use including the effects and consequences of drug use on personal health, safety, and the work environment. The training also includes manifestations and behavioral cues that may indicate prohibited drug use.
  - b. Thereafter, all employees shall receive at least 30 minutes of refresher training, which shall include the dangers of alcohol and drug abuse in the workplace; the employer's policy of maintaining a drug-free workplace; the effects of alcohol and drug use on an individual's health, work, and personal life; the disease of alcohol or drug addiction; signs and symptoms of an alcohol or drug problem; alcohol and drug testing; the role of coworkers and supervisors in addressing alcohol or drug abuse; available drug counseling and rehabilitation; referrals to an EAP; and penalties for violation of the Drug- and Alcohol-Free Workplace Policy.
  - c. All supervisors shall receive, in addition to the training specified in paragraph (b) of this subsection, at least 30 minutes each year of alcohol and drug abuse education and awareness training which shall include, at a minimum, information on recognizing the signs of employee alcohol or drug abuse; how to document signs of employee alcohol or drug abuse; how to refer employees to an EAP or other alcohol or drug abuse treatment programs; legal and practical aspects of reasonable suspicion testing for the presence of drugs and alcohol; and other issues regarding drug abuse that the trainer or the city deem necessary to include.
  - d. The employer shall annually verify that the frequency and duration of each employee and supervisor training session meets the requirements of this section and that all employees have participated in the required alcohol and drug abuse education and awareness training program.
- (8) Prohibited substances addressed by this policy include the following:
- a. Illegally Used Controlled Substance or Drugs Under the Drug-Free Workplace Act of 1988. Any drug or any substance identified in Schedule I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812), as further defined by 21 CFR Parts 1300.11 through 1300.15, and as defined by 803 KAR 25:280 is prohibited at all times in the workplace unless a legal prescription has been written for the substance. This includes but is not limited to marijuana, amphetamines, opiates, phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration (USDEA) or the U.S. Food and Drug Administration (USFDA). Illegal use includes use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs, such as oxycodone, oxymorphone, hydrocodone, and hydromorphone.
  - b. Federal drug testing regulations (49 CFR Part 40) require that all covered employees be tested for marijuana metabolites/THC (this includes any CBD product containing THC at or above the required threshold), cocaine, amphetamines, opiates, and phencyclidine. Illegal use of these five drugs is prohibited at all times, and thus, covered employees may be tested for these drugs anytime they are on duty.
  - c. The Kentucky Certified Drug-Free Workplace testing regulations (803 KAR 25:280) require that all covered employees be tested for amphetamines, cannabinoids (THC,

which includes any CBD product containing THC at or above the required threshold), cocaine, opiates, phencyclidine (PCP), benzodiazepines, propoxyphene, methaqualone, methadone, barbiturates, and synthetic narcotics.

- d. The appropriate use of legally prescribed drugs and nonprescription medications is not prohibited. However, any HSAL employee taking any legal substance which carries a warning label indicating that mental functioning, motor skills, or judgment may be adversely affected must report this information to a supervisor, and the employee is required to provide a written release from their doctor or pharmacist indicating that the employee can perform their safety-sensitive functions.
- e. The use of beverages containing alcohol (including any mouthwash, medication, food, and candy) or any other substances such that alcohol is present in the body while performing safety-sensitive job functions is prohibited.

(9) Types of prohibited conduct include:

- a. All employees are prohibited from reporting for duty or remaining on duty any time there is a quantifiable presence of a prohibited drug in the body above the minimum thresholds defined in 49 CFR Part 40, or any other state or federal law as amended.
- b. No employee shall consume alcohol while at work or while on call. If an on-call employee has consumed alcohol, they must acknowledge the use of alcohol at the time that they are called to report for duty. The employee will subsequently be relieved of their on-call responsibilities and be subject to discipline.
- c. The city shall not permit any employee to perform any work-related activity, especially safety-sensitive functions, if it has actual knowledge that the employee is using alcohol.
- d. No employee shall report to work or remain on duty while having an alcohol concentration of 0.02 or greater regardless of when the alcohol was consumed.
- e. No employee shall consume alcohol for eight hours following involvement in an accident or until they submit to the post-accident drug/alcohol test, whichever occurs first.
- f. No employee shall consume alcohol within four hours prior to the performance of any job functions.
- g. The city, under its own authority, also prohibits the consumption of alcohol at all times that the employee is on duty or anytime the employee is in uniform.
- h. Consistent with the Drug-Free Workplace Act of 1988 and Kentucky Certified Drug-Free Workplace regulations, all employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession, or use of prohibited substances in the workplace while in uniform or on city business.

(10) Consistent with the Drug-Free Workplace Act of 1998, all employees are required to notify city management of any criminal drug statute conviction for a violation occurring in the workplace within five days after such conviction. Failure to comply with this provision shall result in termination.

(11) Testing requirements for this policy include:

- a. Analytical urine drug testing and breath testing for alcohol will be conducted as required by 49 CFR Part 40, 803 KAR 25:280 and any other statutes as amended. All

employees shall be subject to testing prior to employment, for reasonable suspicion following an accident, and random as defined in sections (13), (14), (15), and (16) of this policy. All employees who have tested positive for drugs or alcohol on a random test, reasonable suspicion test, or post-accident test will be terminated as set out in section (20).

- b. A drug or alcohol test can be performed any time an employee is on duty.
  - c. All employees will be subject to blood draw for post-accident drug and alcohol testing as a condition of ongoing employment with the city. Any employee who refuses to comply with a request for testing shall be removed from duty and subject to and will be terminated as set out in section (20) of this policy. Any employee who is suspected of providing false information in connection with a drug test or who is suspected of falsifying test results through tampering, contamination, adulteration, or substitution will be required to undergo an observed collection. Verification of the above-listed actions will be considered a test refusal resulting in the employee's removal from duty and being terminated as set out in section (20) of this policy. Refer to section (6)(cc) for behavior that constitutes a refusal to test.
- (12) Testing for drugs and alcohol shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities which have been approved by the U.S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration (SAMHSA). All testing will be conducted consistent with the procedures set forth in 49 CFR Part 40, as well as 803 KAR 25:280, and any other statutes as amended. The procedures will be performed in a private and confidential manner and every effort will be made to protect the employee, the integrity of the drug testing procedure, and the validity of the test result.
- (13) Pre-employment testing shall be done as follows:
- a. All applicants shall undergo urine drug testing and breath alcohol testing within 48 hours after a conditional offer of employment is made.
    - 1. An applicant shall not be hired into a position unless the applicant takes a drug test with verified negative results and an alcohol test with a BAC below 0.02.
    - 2. An employee shall not be placed, transferred, or promoted into a position until the employee takes a drug test with verified negative results and an alcohol test with a BAC below 0.02.
    - 3. If an applicant fails a pre-employment drug or alcohol test, tampers with, or attempts to tamper with a urine specimen in any manner, the conditional offer of employment shall be rescinded. Failure of a pre-employment drug and/or alcohol test will disqualify an applicant for employment for a period of at least one year. Evidence of the absence of drug dependency from an SAP that meets with 49 CFR Part 40, as amended, and a negative pre-employment drug test and an alcohol test with a BAC below 0.02 will be required prior to further consideration for employment. The cost for the assessment and any subsequent treatment will be the sole responsibility of the applicant.
    - 4. When an employee being placed, transferred, or promoted submits a drug test with a verified positive result, or an alcohol test with a BAC above 0.02, the employee shall be terminated in accordance with section (20) herein.

5. If a pre-employment/pre-transfer test is canceled, the city will require the applicant to take and pass another pre-employment drug test.
6. Applicants for DOT positions are required to report previous DOT covered employer drug and alcohol test results. Failure to do so will result in the employment offer being rescinded.

(14) Reasonable suspicion testing shall be conducted as follows:

- a. All employees and volunteers will be subject to a reasonable suspicion drug and/or alcohol test when there are reasons to believe that drug or alcohol use is impacting job performance and safety. Reasonable suspicion shall mean that there is objective evidence, based upon specific, contemporaneous, articulable observations of the employee's appearance, behavior, speech, or body odor that are consistent with possible drug use and/or alcohol misuse. Reasonable suspicion referrals must be made by one supervisor who is trained to detect the signs and symptoms of drug and alcohol use, and who reasonably concludes that an employee may be adversely affected or impaired in their work performance due to possible prohibited substance abuse or alcohol misuse. A reasonable suspicion drug test can be performed any time the employee or volunteer is on duty.
- b. The designated employer representative (DER) or their designee shall be notified of any indication of reasonable suspicion. Both the observing supervisor and the DER or their representative (if available) will review the policies and procedures herein and if necessary, make arrangements with a testing facility of the city's choosing to conduct reasonable suspicion drug and/or alcohol testing as soon as possible. If the DER or their representative is not available, the observing supervisor shall obtain the assistance of another city supervisor or other credible and reliable source. They shall complete the Reasonable Suspicion Observation Form and forward it to the DER. If after completing the form it is determined that there is, in fact, reasonable suspicion that the employee is under the influence of drugs and/or alcohol, the observing supervisor or their designee will notify the employee and accompany them to the testing site. Supervisors should avoid placing themselves and/or others into a situation which might endanger the physical safety of those present. The Reasonable Suspicion Observation Form shall be attached to the forms reporting the test results.
- c. When a reasonable suspicion test is ordered, the employee must immediately submit to testing. The observing supervisor and/or designee shall remain at the testing site with the employee being tested until testing is completed. Any employee who is tested for reasonable suspicion shall be placed on administrative leave with pay until the results of the test are known. After submitting to the drug/alcohol test, the employee may not return to work until the results of the test are known and only then if the results are negative. Only the DER may order a reasonable suspicion test.
- d. An employee who refuses an instruction to submit to a drug/alcohol test shall not be permitted to finish their shift and shall immediately be terminated as specified in section (20) of this policy.

(15) Post-accident testing will be conducted as follows:

- a. Employees are subject to blood drug and alcohol testing when needed to evaluate the root cause of a workplace accident that harmed or could have harmed employees, or where the employee's performance likely contributed to the accident, the employer has

reasonable suspicion to believe that drugs or alcohol may have contributed, or as required under state or federal law. Testing is not limited to only the injured employee(s).

- b. Circumstances that constitute probable belief that an employee's performance likely contributed to the accident will be presumed to arise in any instance involving a work-related accident or injury involving the following:
  - 1. A human fatality.
  - 2. Bodily injury with immediate medical treatment away from the scene where a citation is issued to the driver, or the driver is found responsible for the accident.
  - 3. Any disabling damage to a vehicle where a citation is issued to the driver, or the driver is found responsible for the accident. Disabling damage is defined as damage that precludes departure of any vehicle from the scene of the occurrence in its usual manner after simple repairs. Disabling damage also includes damage to vehicles that could have been operated but would have been further damaged if so operated.
  - 4. Safety-sensitive employee or position, as defined in paragraphs (5) and (6) of this policy, who is involved in safety-sensitive activities as defined in paragraph (6) of this policy, during the occurrence of the accident, and who cannot be discounted as a contributing factor to the accident.
  - 5. Any city employee when there is a need to evaluate the root cause of a workplace accident that could have harmed employees and there is reasonable suspicion to believe that the use of drugs or alcohol by the employee could have contributed to the accident (See Reasonable Suspicion Observation Form.)
- c. Due to varying types of accident causes, not all accidents will require post-accident testing. Exceptions for requiring post-accident drug and alcohol testing will include, but may not be limited to the following types of accidents or injuries:
  - 1. Injuries whose onset is cumulative or gradual such as carpal tunnel syndrome, progressive hearing loss, mental disorders, dermatitis, respiratory diseases, skin disorders, etc.
  - 2. Injuries where the employee can be completely discounted as the contributing factor, e.g., injuries caused by a third party or some other uncontrollable force or event, such as weather, insects, etc.
  - 3. Injuries where the employee can be completely discounted as the major contributing factor or those injuries occurring during physical fitness or a training event, in which the employee did everything within reason to avoid the injury or accident, i.e., was performing training as instructed.
- d. Post-accident investigations must take place within two hours following the accident.
- e. As soon as practicable following an accident, the supervisor investigating will notify the employee operating the vehicle or equipment and all other employees whose performance could have contributed to the accident, of the need for the blood test. All employees whose conduct could have contributed to the accident will be subject to

testing, not only the employee who reported an injury. The DER along with the supervisor will make the determination using the best information available at the time of the decision. (See Post-Accident Documentation Summary and Checklist.) *Under no circumstances will the employee be allowed to drive themselves to the testing facility.*

- f. Pursuant to KRS 342.610(4), all post-accident testing will be done by blood draw.
  - g. The appropriate supervisor shall ensure that an employee required to be tested under this section is tested as soon as practicable but no longer than eight hours following the accident for alcohol and within 32 hours for drugs.
    - 1. If a blood alcohol test is not performed within two hours of the accident, the supervisor will document the reason(s) for the delay.
    - 2. If the alcohol test is not conducted within eight hours, attempts to conduct the alcohol test must cease and the reasons for the failure to test documented.
    - 3. If the drug test is not conducted within 32 hours, attempts to conduct the drug test must cease and the reasons for the failure to test documented.
  - h. Any employee involved in an accident must refrain from alcohol use for eight hours following the accident or until they undergo a post-accident blood alcohol test.
  - i. An employee who is subject to post-accident testing who fails to remain readily available for such testing, including notifying a supervisor of their location if they leave the scene of the accident prior to submission to such test, may be deemed to have refused to submit to testing.
  - j. Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident, to prohibit an employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.
  - k. In the rare event that the city is unable to perform a drug and alcohol test, e.g., employee is unconscious, employee is detained by law enforcement agency, the city may use drug and alcohol post-accident test results administered by local law enforcement officials in lieu of the test. The local law enforcement officials must have independent authority for the test and the employer must obtain the results in conformance with local law.
  - l. The city reserves the right to test all employees whose conduct may have contributed to the accident.
  - m. An employee involved in an accident while on an out-of-town assignment shall notify their supervisor as soon as possible but no later than two hours after the accident occurred. The supervisor shall notify the DER to discuss possible drug/alcohol testing requirements.
- (16) Random testing will be conducted as follows:
- a. All employees in HSAL, FRE, and DOT positions will be subjected to random, unannounced testing. The selection of employees shall be made by a scientifically valid method of randomly generating an employee identifier from the appropriate pool of safety-sensitive employees.



- b. The dates for administering unannounced testing of randomly selected employees shall be spread reasonably throughout the calendar year.
  - c. Employees in HSAL positions, other than those classified as FRE, will have random alcohol testing done at a rate of at least 10% annually and drug testing at a rate of at least 20% annually.
  - d. The number of FRE employees randomly selected for drug/alcohol testing during the calendar year shall not be less than the percentage rates established by federal regulations for those safety-sensitive employees subject to random testing by federal regulations.
  - e. All employees in FRE positions shall be selected from a pool that is separate from the random selection pool for other non-federally regulated HSAL positions.
  - f. Each covered employee shall be in a pool from which the random selection is made. Each covered employee in the pool shall have an equal chance of selection each time the selections are made. Employees will remain in the pool and subject to selection regardless of whether the employee has been previously tested. There is no discretion on the part of management in the selection and notification of the individuals who are to be tested.
  - g. Random tests can be conducted at any time during an employee's shift.
  - h. Employees are required to immediately proceed to the collection site upon notification of their random selection.
- (17) When there are no specific, contemporaneous, or articulable objective facts that indicate current drug or alcohol use, but the employee (who is not already a participant in a treatment program) admits the abuse of alcohol or other substances to a supervisor in their chain of command, the employee shall be referred to the SAP/EAP for an assessment. The city shall place the employee on administrative leave. Employees must utilize all sick, vacation, and compensatory time. Once all time has been utilized, the leave will be unpaid. Testing in this circumstance would be performed under the direct authority of the DER. Since the employee self-referred to management, testing under this circumstance would not be considered a violation of this policy or a positive test result under federal authority. However, self-referral does not exempt the employee from testing required in sections (13) through (16) or the associated consequences as specified in section (20) of this policy.
- (18) Return-to-duty testing will be done as follows:
- a. Employees who voluntarily present themselves for self-referral as set out in section (17) of this policy, must test negative for drugs/alcohol (below 0.02 BAC) or both and be evaluated and released by the SAP or EAP before returning to work.
  - b. Following the initial assessment, the SAP/EAP will recommend a course of rehabilitation unique to the individual. The SAP/EAP will recommend the return-to-duty test only when the employee has successfully completed the treatment requirement and is known to be drug- and alcohol-free and there are no undue concerns for public safety.
  - c. Employees will be required to undergo frequent, unannounced drug and alcohol follow-up testing upon return to duty. The follow-up testing will be performed for a period of one to five years after the successful completion of treatment, with a minimum of six tests to be performed the first year. The frequency and duration of the follow-up tests

(beyond the minimums) will be determined by the involved SAP/EAP reflecting their assessment of the employee's unique situation and recovery progress. Follow-up testing should be frequent enough to deter and/or detect a relapse. Follow-up testing is separate and in addition to the random, post-accident, reasonable suspicion, and return-to-duty testing.

- (19) Refusal to submit to a drug/alcohol test as listed in section (6)(cc), shall be considered a positive test result and a direct act of insubordination, and shall result in termination.
- (20) The city has adopted a zero-tolerance drug policy. Therefore, any verified positive test from a sample submitted as the result of a random, reasonable suspicion, post-accident, or return-to-duty drug or alcohol test will result in termination
- (21) Employee assistance program (EAP) information.
  - a. Alcoholism and controlled substance addiction are recognized as diseases responsive to proper treatment. The city's health insurance plan through Anthem contains a level of care available for substance abuse treatment through an EAP provided for employees as part of their health care coverage. For information on the EAP, contact your supervisor, the city clerk, or go to [anthemep.com](http://anthemep.com) and enter your company code, which is KLC, or you may call **800.865.1044**.
  - b. All employees of the city are strongly encouraged to voluntarily contact the EAP if they believe they or an immediate family member might have a problem with drug or alcohol abuse. An employee who feels that they have developed an addiction or dependence on alcohol or drugs may be entitled to other benefits in addition to the EAP herein described. The decision to seek such benefits or not is the sole responsibility of the employee. All information concerning the use of the medical insurance plan for this purpose will be treated as confidential medical information. Employees who seek treatment or counseling for substance abuse problems may be eligible to use sick, vacation, and compensatory leave. Once all time has been utilized the leave will be unpaid.
  - c. If an employee has been identified by an SAP as needing assistance in resolving problems associated with alcohol or controlled substances, the employee will be subject to follow-up testing as prescribed elsewhere in this policy. The SAP shall be either a licensed physician, certified psychologist, social worker, employee assistance professional, or addiction counselor.
  - d. Employees who voluntarily report a substance abuse problem prior to being required to take a controlled substance or alcohol test as defined in this policy, will not be subject to disciplinary action if they voluntarily and conscientiously seek substance abuse assistance and agree to a treatment plan. However, such an employee must understand that if the problem is not corrected and satisfactory job performance is not maintained, they will be subject to disciplinary action up to and including termination of employment. Failure to seek such assistance or to abide by the terms of the treatment plan, shall be grounds for termination. Upon voluntarily reporting a substance abuse problem, the employee will be required to sign a Return-to-Work Agreement that will further define conditions of continued employment.
  - e. The city's EAP provides services to employees regardless of race, color, religion, national origin, disability, sex, age, or any other state or federal-protected class.

- (22) The city is dedicated to assuring fair and equitable application of the Drug- and Alcohol-Free Workplace Policy. Therefore, supervisors/managers are required to use and apply all aspects of this policy in an unbiased and impartial manner. Any supervisor/manager who knowingly disregards the requirements of this policy or who is found to deliberately misuse the policy toward subordinates, shall be subject to disciplinary action up to and including termination.
- (23) Confidentiality of drug testing procedures and records are as follows:
- a. Drug/alcohol testing records shall be maintained by the city clerk or deputy city clerk and except as provided below or by law, the results of any drug/alcohol test shall not be disclosed without express written consent of the tested employee.
  - b. The employee, upon written request, is entitled to obtain copies of any records pertaining to their use of prohibited drugs or misuse of alcohol including any drug or alcohol testing records. Employees have the right to gain access to any pertinent records such as equipment calibration records and records of laboratory certifications. Employees may not have access to SAP referrals and follow-up testing plans.
  - c. Records of a verified positive drug/alcohol test result shall be released to the department supervisor and personnel manager on a need-to-know basis.
  - d. Records will be released to a subsequent employer only upon receipt of a written request from the employee.
  - e. Records of an employee's drug/alcohol tests shall be released to the adjudicator in a grievance, lawsuit, or other proceeding initiated by or on behalf of the tested individual arising from the results of the drug/alcohol test. The records will be released to the decision maker in the proceeding. The information will only be released with the binding stipulation from the decision maker to make it available only to parties in the proceeding.
  - f. Records will be released to the National Transportation Safety Board (NTSB) during an accident investigation.
  - g. Records will be released to the DOT or any DOT agency with regulatory authority over the employer or any of its employees.
  - h. If requested, records will be released by a federal, state, or local safety agency with regulatory authority over the city or the employee.
  - i. If a party seeks a court order to release a specimen or part of a specimen, contrary to any provision of CFR Part 40, as amended, necessary legal steps to contest the issuance of the order will be taken.
- (24) Any questions regarding this policy or any other aspect of the Drug- and Alcohol-Free Workplace Policy should be directed to the DER.

## **Fraternization**

- (1) While the city encourages amicable relationships between employees, it recognizes that involvement in a romantic relationship may compromise or create a perception that compromises an employee's ability to perform their job. Any involvement of a romantic nature between an employee and their supervisor is prohibited.

- (2) Any concerns an employee has in a dating relationship with a coworker may be brought to the attention of the city clerk, deputy city clerk, or any supervisor in which the employee feels comfortable. The supervisor and employee should follow the guidance in the Sexual and Nonsexual Harassment Policy and/or the Workplace Violence Policy within Section 3 of this handbook. In addition, employees may use the city-provided EAP for any relationship issues.

## **Children in the Workplace**

The presence of children in the workplace with the employee parent during the employee's workday is not allowed. This policy is established to avoid disruptions in job duties of the employee and coworkers, reduce property liability, and help maintain the company's professional work environment.

## **Media Communications**

- (1) The city commission and attorney serve as the chief media spokesperson for the city. All media requests shall be directed to the commissioner who is responsible for determining the city staff person most appropriate to make a response. Under certain circumstances, staff members may be directed to respond to a media request when matters touch upon their special areas of expertise. Any employee directly contacted or approached by the media for comments on issues related to the city shall contact the commissioner prior to making a response.
- (2) To guarantee quality and appropriate formatting, all city communications shall originate from the city commission. One to two weeks' notice to generate releases is standard. The city commission will work with city staff and members on releases pertaining to "breaking news" as needed.
- (3) To guarantee consistent quality and branding, all city publications shall originate or be approved by the city commission. Ideally, at least one week's notice should be given for the creation of a small publication or template. For large publications a predesign review of the project will occur between the requesting employee and the city commission.

## **Hours of Operation and Work Schedules**

- (1) Normal city hall office hours are Monday through Friday, 8:00 a.m. until 4:00 p.m. Office hours may be modified due to evening meetings, other similar functions, or when weather or other circumstances require.
- (2) The work schedule of the individual employee will be established by the employee's supervisor and approved by the city commission. The work schedule may be modified on a temporary basis when necessitated by workload or other work-related factors. A supervisor that establishes a permanent work schedule for an employee deviating significantly from normal department hours shall provide notification and details regarding the modified work schedule to the department's commissioner. The department commissioner will notify the city clerk or deputy city clerk if it is approved.

# Tardiness

All employees are expected to arrive at their designated workspace prior to the start of their work shift. An employee that arrives after the appointed time is considered tardy. Employees who are tardy two times or less within a 30-day period will be counseled by their department supervisor. Employees who are tardy more than two times within a 30-day period will be subject to the disciplinary policy.

# Meals and Rest Periods

- (1) Unless other arrangements are made with the employee's immediate supervisor, all employees other than police officers and firefighters are expected to take a paid lunch period of 30 minutes each workday which shall occur no sooner than three hours after the employee begins their work shift and no later than five hours after the employee begins their work shift. Any time over 30 minutes is unpaid. However, an employee and their immediate supervisor may agree to make a reasonable alternative schedule for a meal period on a temporary basis and any such change should be noted in writing.
- (2) Sworn police officers and firefighters shall remain on duty subject to call during meal breaks. All other employees generally are not on call during meal breaks unless directed by a supervisor.
- (3) Employees are encouraged to schedule personal breaks as workflow allows. The total time taken for personal breaks should not exceed 10 minutes during each four hours worked. No reduction in compensation shall be made for time spent on personal breaks taken consistent with this policy for either exempt or nonexempt employees.
- (4) For up to one year after a child's birth, any employee who is breastfeeding her child will be provided two reasonable break times (approximately 20 minutes) to express breast milk for her baby. This time will be paid but is not in addition to the breaks provided in paragraph (2). If an employee needs more than 20 minutes, that time will be allowed but it will not be paid. The city will provide a room which is separate from the bathrooms, is shielded from view by the public and coworkers, and is cleaned and sanitized regularly. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason including improper storage, refrigeration, and tampering. Nursing mothers wishing to use this room must request/reserve the room by contacting their supervisor.

# Inclement Weather

- (1) Emergency closings will be authorized by the mayor or mayor pro tem. When changes in hours of operations are necessary due to emergency situations such as inclement weather or loss of utilities, the commissioner will notify each of their supervisors. Employees will be notified by their supervisors. Employees are also encouraged to check the city social media page for announcements.
- (2) If the city system remains closed for an entire day because of an emergency, all employees scheduled to work that day will be paid for the number of hours they were scheduled to work. Employees able to telecommute will be expected to work during regular working hours. If an emergency closing occurs during the hours the city is open, employees will be paid for any

remaining hours scheduled. However, emergency hours not actually worked will not be included in overtime calculations. Further, if an employee is off on vacation or sick leave they will not receive credit for the hours the city was closed.

- (3) If the city opens late or closes early due to an emergency, scheduled staff who report to work will receive credit for their regularly scheduled hours for that day. However, emergency hours not actually worked will not be included in overtime calculations.
- (4) When the city is open but extreme weather conditions make it impossible for an employee to arrive at the regular time, reasonable allowances for lateness will be made. If the employee cannot report for work within a reasonable time, they must charge the day to vacation or leave without pay equal to their regular work schedule hours for that day. The supervisor should be notified as soon as possible.
- (5) Certain essential services are required to be maintained during any closing. The employees providing these essential services are excused from work only with the specific authorization of their supervisors, regardless of radio or other announcements. Supervisors should clarify beforehand who the essential employees are during emergencies, what their obligations are, and what procedures will be used to let them know whether they will be needed to work. Failure to report to work during emergencies by required essential services may be cause for disciplinary action.
- (6) Any hours worked over 40 hours within the workweek are paid at one-and-one-half times the rate (overtime).
- (7) The city clerk or deputy city clerk will notify the public by the city's social media page in the event the city opens late or closes early.

## **Standards of Performance and Conduct**

- (1) Each employee is a representative of the city, both internally with coworkers and externally with citizens, contractors, business associates, affiliates, and others. As a representative of the city, each employee is expected to act professionally, honestly, ethically, courteously, and with integrity in all business transactions and interpersonal interactions while at work or in any performance of an activity on behalf of the city.
- (2) The city expects all employees to conduct themselves in a professional, mature, and lawful manner. Employees must comply with established rules, regulations, policies, procedures, and directives. Failure to do so will result in disciplinary action. To avoid misunderstandings about the types of conduct that are considered unacceptable, a non-exhaustive list of specific infractions is provided below purely for informational purposes as a general guide for employees:
  - a. Unexcused tardiness.
  - b. Unexcused and excessive absenteeism.
  - c. Failure to perform an assigned task, meet a deadline, or otherwise follow an instruction or directive.
  - d. Insubordination or willful refusal to follow instructions, rules, regulations, policies, or to accept assignments.
  - e. Misuse of leave time.

- f. Intentional or unintentional violations of the policies and procedures in this handbook.
- g. Inability to perform duties or requirements of the job because of the loss of necessary licenses or other requirements.
- h. Discourteous behavior toward the public or other employees.
- i. Theft or embezzlement of city property or assets.
- j. Use, possession, sale, or transfer of illegal drugs, or being under the influence of illegal drugs in any manner that may impair the employee's ability to perform assigned duties or that may adversely affect the city's business or reputation.
- k. Personal behavior, whether on or off duty, which discredits the city and is likely to damage the public reputation of the city.
- l. Falsification of records.
- m. Invasion of another's privacy.
- n. Assault or fighting.
- o. Conviction of a serious criminal offense which jeopardizes or is injurious to the city's property and security, its public reputation, the interests of other employees, or which is incompatible with the due and faithful discharge of duties and responsibilities.
- p. Sexual or nonsexual harassment.
- q. Horseplay or pranks which threaten the safety and security of the workplace or are offensive to other employees.

## Dress Code and Hygiene

- (1) As representatives of the city during work hours it is important for employees to present a professional impression to citizens, vendors, coworkers, and others. Clothing should be neat, clean, in good taste, and should not constitute a safety hazard. Employees are expected to maintain the highest standards of personal cleanliness and appearance during work hours and when representing the city outside of normal work hours.
- (2) The minimum standard of dress for city office employees is "business casual," although there are occasions or situations such as meetings that require "business professional" attire. From time to time, these standards may be relaxed by management to allow employees to wear more casual clothing. Examples of such times include jean Friday, cleanup days, severely inclement weather, or when more casual clothing may be appropriate for the work to be done.
- (3) Professional appearance is expected including good hygiene and grooming while working. Facial hair is permitted if it is neat and well-trimmed. Tattoos shall not be offensive in nature. "Offensive" shall generally mean anything of a sexual nature or anything that impugns another's race, creed, religion, color, or sexual preference.
- (4) An employee may be granted an exception to this policy by their department commissioner after discussing with the city attorney, for certain medical conditions, for a sincerely held religious belief, or other grounds protected by federal, state, or local laws. Reasonable accommodation will be granted unless it causes an undue hardship on the city.

- (5) An employee wearing inappropriate attire will be required to leave work to change into appropriate attire. An employee will not be compensated for the time they are away from work to change into appropriate attire and must use vacation time or comp time for the time spent away from work.
- (6) To promote safety for the employees when traveling conditions are hazardous, the City of Harrodsburg has instituted an "Inclement Weather Dress Code." This dress code will be in effect on days when county schools have delayed or canceled classes due to inclement weather for that day. Employees may wear casual clothing such as jeans, sweaters, and flannel shirts so long as the clothing is in good taste and is free from holes and cuts. Footwear that is flat and have high traction soles are appropriate for these conditions and should be worn. Examples include hiking boots, snow boots, trail runners, or running shoes. No high heels or leather dress shoes shall be worn. If a meeting was previously scheduled that requires different attire, shoes with heels or slick leather soles are to be carried into the office and changed into once inside.
- (7) Guidelines for police officer and firefighters are also contained within the Police Department Policy and Procedure Manual and the Fire Department Policy and Procedures Manual.
- (8) An employee with questions regarding this policy should direct their inquiries to the city clerk or deputy city clerk.

## **Outside Employment for Employees Other than Police Officers and Firefighters**

- (1) Outside employment is defined as any paid employment performed by an employee in addition to employment with the city.
- (2) Any employee desiring to perform outside employment shall first obtain written approval on the Outside Employment Request (HR Form 20) from the department supervisor subject to the approval of the city commission. Approval may be granted provided that such employment does not:
  - a. Interfere with the performance of the employee's duties.
  - b. Involve a conflict of interest or conflict with the employee's duties.
  - c. Involve the performance of duties which the employee should perform as a part of employment with the city.
  - d. Occur during the employee's regular or assigned working hours unless the employee is on vacation leave, compensatory leave, or leave without pay. Employees on any form of sick leave which includes FMLA or workers' compensation leave, may not work outside employment pursuant to section (4) below.
- (3) The employee shall make arrangements with the outside employer to be relieved of duties in the event the employee is called for emergency service by the city.
- (4) An employee who is approved for sick leave, including FMLA and workers' compensation leave, or who is approved for limited duty is prohibited from engaging in secondary employment. Employees who engage in other employment or are self-employed while on authorized leave of absence or light duty will be terminated unless written authorization has been granted prior to commencement of the



leave of absence. The above limitations specifically do not apply to an employee's use of vacation leave, compensatory time, or absences resulting from a temporary reduction in force.

- (5) Guidelines for secondary employment specific to police officers and firefighters are contained within the Police Department Policy and Procedure Manual and the Fire Department Policy and Procedure Manual.

## Uniforms

- (1) The annual budget process shall determine the uniform policy of the city.
- (2) All employees who are authorized to wear uniforms provided by the city shall wear the uniforms during all working hours. Uniforms provided by the city shall be worn only to and from work and while at work and, unless there is an applicable exclusion, shall be considered taxable benefits and credited with additional income for the amount of the uniform expenses for tax purposes for each pay period.
- (3) The value of clothing provided by an employer to an employee must be included as taxable income of the employee unless there is an applicable income exclusion. Possible income exclusions could apply when the employer provides clothing:
  - a. De minimis benefit, which is a benefit so small that accounting for it would be unreasonable or administratively impracticable considering its value and frequency pursuant to IRS code section 132(a)(4).
  - b. Clothing not suitable for general wear.
  - c. Police officers and firefighters who are required to wear uniforms and other clearly marked clothing while on duty shall not wear those uniforms or other marked clothing while off duty. Any police officer or firefighter wearing the above-mentioned clothing while off duty will be subject to disciplinary action.
  - d. High visibility and/or Occupational Safety and Health Administration (OSHA) approve personal protective equipment (PPE).
- (4) Anyone obtaining PPE through the city is required to wear the PPE whenever necessitated by work duties or conditions. PPE shall not be considered taxable benefits.
- (5) Guidelines for police officers' and firefighters' uniforms are also contained within the Police Department Policy and Procedure Manual and the Fire Department Policy and Procedure Manual.

## Use of Office and Mobile Telephones

The office telephone system is provided and paid for by the city to facilitate the conduct of its business. Extensive use of the city telephone system or mobile phones for the personal business of employees interferes with the efficient and effective conduct of the city's business. While the city understands that employees must occasionally make and accept personal calls, texts, or other messages during work hours, personal communication should be kept to a minimum both in terms of the number of personal calls/messages per day and the duration of individual calls/messages. Excessive use of the office telephone system, mobile phones, or personal mobile phones for personal calls, texting, or other personal messaging during work hours may result in disciplinary action.

# Mobile Telephones and Communications Devices

The city makes available mobile telephones to employees to facilitate the conduct of city business. Departmental supervisors, the fire chief, and the police chief who have been issued and accepted mobile telephones from the city, are subject to the following requirements:

- (1) Standard model mobile telephones are purchased by the city and replaced as determined by the provider's contract. If a device is lost, stolen, or is physically damaged beyond repair, the employee shall be responsible for paying a replacement cost. The replacement cost will be calculated as a pro-rata amount based on the amount of time remaining on the provider's contract. Employees are responsible for the purchase of additional equipment or other accessories that are not included with the original purchase of the phone and are responsible for the full replacement cost of such items.
- (2) Upon prior approval from the city commission, an employee may purchase their own telephone which is not standard equipment issued by the city. The city shall evaluate the compatibility of the device with the security protocol of the city's servers. Employees that are not eligible to be issued a city device shall not be permitted to connect to the city network.
- (3) Employees shall not submit, nor shall any supervisor approve, any mobile telephone expenses for reimbursement on an employee expense report.
- (4) Employees who incur additional charges for the purchase of ring tones, other "extras" or overages, or incur charges for the use of "411" directory assistance shall be responsible for those charges and will be invoiced for the amount.
- (5) All city policies including and not limited to safety, harassment, ethical conduct, confidentiality, protected health information, and conflict of interest apply fully to electronic device usage.
- (6) All devices must be protected by a password. The user agrees to never disclose their password to anyone. The password should be a minimum of four characters. The device will automatically be locked after a period of inactivity.
- (7) Lost or stolen phones or other communication devices should be immediately reported to the human resources manager.
- (8) Since mobile telephone data and locally stored data may be subject to Open Records Laws, there is no expectation of privacy. Each user is responsible and accountable for the content and use of these tools. Should a personal device be used for business purposes, the employee must comply with Open Records Laws including archiving of data. See attached Appendix B – Email and Communications Retention Schedule for more information on record retention requirements.
- (9) Upon resignation or termination of employment or at any time upon request, the employee may be asked to produce the device for return to the city.
- (10) Guidelines for use of cell phones by police officers are also contained within the Police Department Policy and Procedure Manual.

# Vehicle Use

- (1) The operation of vehicles is necessary in conducting much of the city's business. This policy establishes requirements governing the operation of city-owned, leased, or rented vehicles and the operation of personal vehicles while conducting business on behalf of the city. Department supervisors are responsible for implementation and enforcement of this policy for all vehicles and drivers assigned to their department.
- (2) Employees operating the city-owned, leased, or rented vehicles, which include special-use vehicles such as construction and excavation equipment designed to operate primarily off-road but driven on public roads to a job site, and employees who are performing employment functions on behalf of the city in a privately owned vehicle must meet and adhere to the following requirements:
  - a. The employee shall hold a valid driver's license.
  - b. Operators of CDL and non-CDL vehicles will have a valid driver license for at least three years before being allowed to operate a city-owned vehicle. Operators may drive city vehicles with fewer than three years of experience only after successfully completing on-the-job CDL training or a driver skills evaluation.
  - c. The employee shall not operate a city vehicle or use a privately owned vehicle in conducting business on behalf of the city while the employee's license is under revocation or suspension.
  - d. A valid driver's license must always be in the employee's possession while operating a city-owned vehicle. In the case of commercially rated vehicles, the proper commercial driver's license for the vehicle's weight and class must be valid and in the driver's possession.
  - e. Any employee who may operate a vehicle while performing employment functions on behalf of the city shall be subject to an annual Division of Motor Vehicle Records Check and must sign the Driver's License Background Check Release (HR Form 04). The city will use the Commonwealth of Kentucky's individual driving record and corresponding point system to monitor the risks associated with operating vehicles while in the city's employment.
    1. An accumulation of eight or more points in the previous 12-month period or an accumulation of 10 or more points in the previous 18-month period shall be cause for disciplinary action up to and including suspension of city driving privileges.
    2. The city clerk or deputy city clerk shall advise the employee's department supervisor and the department commissioner when a driving record meets this threshold.
    3. Problem drivers should be identified and if possible, should be enrolled in a defensive driving training course.
  - f. Only city employees are authorized to operate city vehicles.
    1. Employees of other public entities may operate city vehicles under the specific approval of the department commissioner granting positions if such operation is essential in conducting city business. Department commissioners granting permission for non-city employees to operate city vehicles are responsible for

ensuring that the driver is properly licensed, trained, and qualified to operate the vehicle.

- g. Only persons being transported in connection with official city business shall be passengers in any city vehicle.
- h. Intentional abuse, moving violations, reckless operation, or negligent actions while operating any city vehicle may result in the suspension of the employee's driving privileges and is grounds for further disciplinary action.
- i. When cargo, materials, or tools are being transported, the driver is responsible for assuring that all items are properly secured to prevent them from shifting or falling from the vehicle or trailer.
- j. No person shall be allowed to ride on running boards, fenders, hoods, tailgates, beds, or other locations on a vehicle not designed or approved by the vehicle manufacturer for passenger seating.
- k. Alcoholic beverages shall not be transported or placed in any city vehicle.
- l. An employee who operates a city vehicle, regardless of frequency, is responsible for the proper care and operation of that vehicle.
- m. Preoperational inspection for passenger sedans, light-duty pick-up trucks, and all other vehicles that do not require a CDL.
  - 1. The operator of these vehicles is responsible for ensuring that all vehicle safety equipment including headlights, turn signals, brake lights, and horn are functioning properly.
  - 2. The operator is also responsible for ensuring that fluid levels including brake, transmission, engine oil, and coolant are properly maintained.
  - 3. Any defects which will affect the safe operation of the vehicle will be promptly reported to the driver's supervisor. No employee shall operate a city-owned vehicle in an unsafe condition. Any vehicle damage which is beyond normal wear and tear must be documented and reported to the employee's supervisor.
- n. Preoperational inspection for all vehicles that require a CDL.
  - 1. At least once per day, the operator of these vehicles is responsible for ensuring that all vehicle safety equipment including headlights, turn signals, brake lights, and horn are functioning properly. The operator is also responsible for ensuring that fluid levels including brake, transmission, engine oil, and coolant are properly maintained.
  - 2. In addition to the requirements above, the operator of these vehicles is responsible for ensuring compliance with all preoperational checks as required by the Department of Transportation CDL rules. In addition, the operator shall complete a Vehicle Condition Report at the beginning of the first shift of each day.

3. Any defects which will affect the safe operation of the vehicle will be promptly reported to the driver's supervisor. No employee shall operate a city-owned vehicle in an unsafe condition. Any vehicle damage which is beyond normal wear and tear must be documented and reported to the employee's supervisor. At the end of the week the form shall be forwarded for archiving. A new form shall be initiated at the beginning of each week.
- o. A qualified operator must be positioned at the vehicle's controls any time it is running unless otherwise approved by the manufacturer.
- p. No vehicle shall be left unattended without first stopping the motor, locking the ignition, removing the key, setting the parking brake, and locking the doors or otherwise securing the vehicle to prevent theft, vandalism, and unintentional movement.
- q. Vehicles responding to emergency situations or those parked on job sites shall be parked with due regard to safety and security considerations.
- r. City vehicles not taken home shall be secured in city parking lots during non-duty hours. The keys shall be removed, and the vehicle locked. When it is necessary to leave a vehicle at a job site overnight, the operator shall ensure the vehicle is parked and secured in an area which provides reasonable security.
- s. When using a trailer, dolly, or other equipment, the following shall apply:
  1. The driver shall ensure that the trailer hitch is securely latched, adequate for the load being towed, properly installed on the towing vehicle, and that safety chains are properly attached.
  2. The driver shall ensure that the trailer or other towed equipment is supplied with proper lighting including brake lights, turn signals, and running lights.
  3. Any vehicle having a load which extends more than four feet beyond the rear shall have the end of the load marked with a red flag which shall be at least 12 inches square.
- t. Backing guidelines for large vehicle and construction equipment are as follows:
  1. Whenever possible, the driver will position the vehicle to avoid the necessity of backing.
  2. Park the vehicle so that the first move is forward when leaving. This means backing the vehicle into a parking space or pulling through a parking space.
  3. These methods do not apply to diagonal parking spaces.
  4. Before entering the vehicle the driver shall perform a walkaround to check clearances prior to entering the vehicle.
  5. The driver shall not back the vehicle unless such movement can be made with reasonable safety and without interfering with other traffic.
  6. Never back a vehicle when windows or mirrors are covered with snow, ice, frost, or other substance that prevents the driver from a clear visual path.

7. Back slowly even during emergency situations.
  8. Be familiar with the vehicle's blind spots to reduce the area that may not be visible in the side mirrors.
  9. When available use a spotter to back all vehicles. Before and during backing movements, the driver and spotter should check blind zones for objects not visible in rear-view mirrors, watch both sides for adequate clearance, and limit speed to allow a full stop.
  10. If a spotter is not available, cones shall be placed in the front and rear of the vehicle after parking and picked up prior to leaving to ensure a full walkaround is completed.
  11. This policy applies to all vehicles including those fitted with backup cameras. These cameras can be an effective tool for preventing backing accidents, but such equipment should be used in addition to the techniques outlined in this policy.
- u. The employee shall obey all city, county, state, and federal laws and regulations.
  - v. The employee shall not operate a motor vehicle while under the influence of alcohol or while being under the influence of illegal or controlled substances.
  - w. When it is necessary for a city employee to use a rental vehicle for city business, the employee shall use a city-approved leasing agency. The city shall purchase optional comprehensive/collision damage coverage through the leasing agency at the time the vehicle is rented.
  - x. The employee and all occupants shall always wear safety belts/safety restraints and all occupants of city vehicles must properly wear seat belts/safety restraints any time the vehicle is in motion.
    1. The operator of construction, excavation, and other off-road equipment shall use the occupant restraint system any time the vehicle is in operation.
    2. Employees are prohibited from removing, deactivating, modifying, or otherwise defeating any occupant restraint system installed by the manufacturer unless approved or instructed by the manufacturer.
  - y. No employee shall operate a vehicle while normal vision is obstructed.
- (3) All employees operating a vehicle on city business shall undergo annual defensive driver training.
- a. The Kentucky League of Cities (KLC) offers two defensive driving courses for employee's convenience. Each of these courses has four modules. Each module can be easily viewed in under 30 minutes.
  - b. Use one course per year for training purposes.
  - c. The defensive driving courses can be found on the KLC Insurance portal under the Risk and Safety tab.

- (4) The city will not provide coverage for liability or physical damage to an employee's privately owned vehicle. Employees who use personally owned vehicles for city business should confirm that their personal auto insurance policy provides coverage for this use.
  - a. Employees who use their personal vehicle while conducting city business shall maintain at least the minimum of liability coverage in an amount not less than \$100,000 per occurrence/\$300,000 annual aggregate, and property damage coverage in an amount not less than \$100,000 per occurrence.
  - b. Annual verification of minimum coverage will be requested.
- (5) City vehicles may be equipped with automatic electronic tracking devices.
  - a. Information from these devices will assist the city to ensure efficient vehicle operation as well as locating stolen vehicles, increasing employee safety, and ensuring that employees are following assignments.
  - b. Items such as mileage, speed, use of seat belts, idle times, utilization, and routing may be monitored without the driver's knowledge.
  - c. Any violation notifications received from the device will be provided to the city commission. Department heads, commissioners, city clerk, and deputy city clerk will be the only ones to review any information from the global positioning system (GPS) device or any components.
  - d. The presence of an electronic tracking device does not relieve an employee of their responsibility to inspect their assigned vehicle as noted within this policy.
  - e. Tampering with or removing a GPS device or component thereof from a city vehicle is strictly prohibited.
  - f. Employees violating this policy will be subject to disciplinary action.
  - g. Employees who drive city vehicles will sign an Electronic Tracking Acknowledgment (HR Form 05) that verifies the receipt and understanding of this policy.
- (6) Any employee who receives a citation or towing charge while operating a city vehicle shall notify the city commissioner in writing within 48 hours of receipt of the citation or towing charge.
- (7) An employee who operates a city motor vehicle is required to immediately notify the city commission of any motor vehicle violation conviction entered against the employee that involves driving while under the influence, or which has resulted, or may result, in the suspension or revocation of the employee's motor vehicle license.
- (8) If the operation of a city vehicle is a condition of employment and an employee is unable to operate a motor vehicle due to the suspension or revocation of the employee's license, the employee must immediately inform the city commission of the suspension or revocation.

- a. Any DUI conviction or refusal to submit to a lawful roadside sobriety test shall result in disciplinary action up to and including suspension of city driving privileges.
  - b. An employee whose driver's license has been suspended for any reason shall not be allowed to operate any over-the-road city vehicles.
  - c. Employees who have obtained temporary driving permits or hardship licenses shall not be permitted to operate over-the-road city-owned or privately owned vehicles in the performance of official city duties.
  - d. Temporary or permanent suspension of city driving privileges shall be considered loss of a job prerequisite for employees whose position requires operation of an over-the-road vehicle.
  - e. Additionally, the employee must at their own expense arrange for and provide transportation so the employee is able to continue to fulfill the employee's job requirements.
  - f. An employee who has been determined to be "at fault" in two or more accidents within a 24-month period while driving a city-owned or privately owned vehicle in the performance of official city business shall be subject to disciplinary action up to and including suspension of city driving privileges.
- (9) Guidelines for use of vehicles by police officers and firefighters are also contained within the Police Department Policy and Procedure Manual and the Fire Department Policy and Procedure Manual.

## Assigned City Vehicles

- (1) When economically feasible and in the best interest of the city, employees may be assigned a city vehicle which they will keep and maintain for business and personal use during the time of assignment. A full-time employee with a position that requires business driving who holds a valid driver's license and has a good driving record as determined by the city commission as well as the department supervisor, may be eligible for the assignment of a city vehicle under any of the following conditions:
  - a. The employee's position requires the employee to be subject to 24 hours on call and available to the city.
  - b. To prepare for a post-disaster response in order to plan an effective and efficient recovery.
  - c. The employee's position must be specified by the city commission as a position to which assignment of a city vehicle is considered part of the employee's compensation package.
  - d. Duty-vehicles designed or equipped for high-priority response where response time will be enhanced by allowing the vehicle to remain in custody of individual employee. Employees assigned to duty-vehicles which are taken home must be available to respond upon request on a 24-hour basis any time the employee has custody of the vehicle.
- (2) An employee assigned a city vehicle on a permanent basis is subject to the following requirements:



- a. Commuter Rule: Unless specifically exempted by federal regulations, take-home city vehicles shall be a taxable benefit. Employees who drive city-owned vehicles to and from work shall be credited with additional gross income for tax purposes in the amount of \$1.50 per day for each day the vehicle is driven to work and \$1.50 per day for each day the vehicle is driven from work. For example: an employee who drives a city-owned vehicle to and from work 10 times during the biweekly pay period shall be credited with an additional income of \$30 for tax purposes for the pay period. Personal use other than commuting is prohibited and grounds for discipline up to and including termination. Employees who drive qualified nonpersonal-use vehicles, e.g., marked police vehicles, are exempt from the taxable benefit under the federal regulations; however, personal use for travel outside of the officer's, or firefighter's jurisdiction is prohibited and grounds for disciplinary action.
  - b. An employee shall submit receipts for refueling assigned vehicles to city hall.
  - c. The city will arrange for license plates, registration certificates, and insurance cards. The city pays local property taxes. The employee should not receive a tax bill.
  - d. An assigned vehicle shall be turned in no later than the last day of employment. A terminated employee shall not continue use of the assigned vehicle under any circumstances.
- (3) In operating an assigned-city vehicle:
- a. The employee shall not permit or give permission for any other person to drive the city vehicle other than as outlined in the Vehicle Use Policy in Section 3 of this handbook.
  - b. The employee shall follow the Vehicle Use Policy as set forth in Section 3 of this handbook.
  - c. The employee shall report accidents in accordance with the Vehicle Accident Reporting Policy in Section 3 of this handbook.
  - d. City vehicles taken home overnight shall be locked and secured in the responsible employee's driveway or other designated parking space which is near the employee's residence.
- (4) Vehicles in the city's car fleet will be replaced at the city's discretion. Factors include:
- a. Passenger Autos – Every 7 years or 125,000 miles, whichever is sooner.
  - b. Trucks – Every 10 years or 125,000 miles, whichever is sooner.
- (5) The city may at its discretion revoke a vehicle assignment at any time or otherwise change the position or work requirements of the employee.

## **Distracted Driving**

- (1) Employees shall not use cellular telephones or any other mobile electronic devices while operating a motor vehicle to read or respond to emails and text messages or accessing the internet, unless an exception under paragraph (3) applies. Employees are prohibited from wearing a headset or earphones over or in both ears. This policy is in effect while operating a city-owned vehicle or operating a privately owned vehicle while conducting city business.

- (2) Furthermore, employees, unless an exception under paragraph (3) applies, should consider:
  - a. Turning off wireless phones before starting the car.
  - b. Pulling over to a safe place and putting the vehicle in "park" if a call must be made or received while on the road.
  - c. Modifying voicemail greeting to indicate the employee is unavailable to answer calls or return messages while driving.
  - d. Informing clients, associates, and others of this policy and an explanation on why calls may not be returned immediately.
  - e. Pulling over to a safe place and putting the vehicle in "park" to make adjustments to a GPS or other navigational device.
- (3) Pursuant to KRS 189.292, this policy shall not apply to an emergency or public safety vehicle when the use of a personal communication device is an essential function of the vehicle operator's official duties.

## Vehicle Accident Reporting Requirements

- (1) An employee involved in a vehicle accident with a vehicle owned, leased, or rented by the city or involved in a vehicle accident in a privately owned automobile while on city business shall follow these rules:
  - a. Summon medical care for injured individuals.
  - b. Notify appropriate law enforcement authorities.
  - c. Notify the employee's department supervisor.
  - d. Do not admit responsibility, fault, or offer settlements.
  - e. Cooperate with law enforcement authorities and emergency medical personnel.
  - f. Obtain the names and addresses of any witnesses and involved parties.
  - g. Submit to a drug and alcohol test as described in the Drug- and Alcohol-Free Workplace Policy in Section 3 of this handbook.
- (2) The employee's supervisor shall be responsible for initiating any departmental investigation, ensuring the completion of all required city reports, and recommending any follow-up preventative actions. In addition, the supervisor shall notify the department commissioner, city clerk, or the deputy city clerk of any injuries sustained by a city employee in accordance with the Reporting Work-Related Accidents Policy in Section 3 of this handbook. The city attorney will be contacted regarding any serious accidents with injuries by the commissioner. The city clerk or deputy city clerk shall immediately notify the city's insurance carrier.
- (3) When the employee who is the driver is determined to be at fault in a vehicle accident, the supervisor may recommend disciplinary action subject to review and approval by the city commission.

# Information Technology Acceptable Use Policy

- (1) The city's electronic resources are provided for the transaction of official business of the city. This policy is intended to establish rules applicable to all city personnel to ensure the city's electronic resources are appropriately utilized and protected.
- (2) All data stored on city-owned media is city property. To properly maintain and manage this data, the management may exercise at any time its right to inspect, record, and/or remove any, or all information contained in computer databases, files, email records, and to take appropriate action should unauthorized or improper usage be discovered.
- (3) All employees and officers who use computer equipment and software in the performance of their duties shall take all reasonable and necessary precautions to prevent damage to the equipment and software. To ensure the city's computer system and software integrity, all employees and officers are prohibited from connecting any hardware or loading any software onto the system or any individual component of the system without prior authorization.
- (4) Access to the data stored on the city's computer systems shall be limited to city employees and officers who require such access for the performance of their assigned duties. Employees or officers may not attempt to use passwords to gain access to coworkers' email or computer files without appropriate authorization.
- (5) No employee or officer shall make copies of data or software programs owned by the city for their personal use or for any purpose not required by the employee's or officer's assigned duties.
- (6) All city business email communications shall be conducted through the city email accounts. No city business conducted by an officer or employee of the city shall occur through a personal email account. Any city business conducted outside of the city email account will be subject to open records and it is the responsibility of the employee or officer to retain those messages in accordance with the Open Records Act, the Kentucky Department of Library and Archives Schedule, and the Email and Communications Retention Schedule as set out in Appendix B of this policy. Questions regarding any recordkeeping requirements should be directed to the city clerk or deputy city clerk.
- (7) Employees or officers should have no expectation of privacy associated with information they transmit through or store in electronic mail programs owned by the city even those on a cell phone. All messages and data processed electronically over the city-owned computers and communications systems are city property and may be subject to the Open Records Act.
- (8) Excessive use of the internet for personal reasons during work hours may be grounds for disciplinary action.
- (9) Internet usage is intended for job-related activities; however, incidental and occasional brief personal use is permitted within reasonable limits.
- (10) All internet data that is composed, transmitted, or received via the city's computer communications systems is part of the official city records, and as such, is subject to disclosure to law enforcement or open records requests. Consequently, employees should always ensure that the business information contained in internet email messages and other transmissions is accurate, appropriate, ethical, and lawful.

- (11) The equipment, services, and technology provided to access the internet always remain city property. As such, the city reserves the right to monitor internet traffic and retrieve and read any data composed, sent, or received through the online connections and stored in the computer systems.
- (12) The electronic mail and other information systems including facsimile machines of the city are not to be used in a way that may be disruptive, offensive to others, or harmful to morale.
- (13) There is to be no display or transmission of sexually explicit images, messages, cartoons, or any transmission or use of email communications that contain ethnic slurs, racial epithets, or anything that may be construed as harassment or disparagement of others based on their race, national origin, ethnicity, sex, sexual orientation, age, disability, or religious or political beliefs.
- (14) City employees and officers are prohibited from the personal use of cloud-based apps to save work-related documents such as Dropbox, SkyDrive, Google Drive, or a similar service.

## City Social Media

- (1) The city may utilize social media and social network sites to further communicate with citizens.
- (2) The intended purpose behind establishing the city's social media sites is to disseminate information from the city and to encourage discussion of city issues, operations, and services by providing members of the public the opportunity to participate through various platforms.
- (3) For purposes of this policy, "social media" is understood to be content created by individuals using the internet. Examples of social media include Facebook, blogs, Instagram, RSS, YouTube, Twitter, LinkedIn, and Flickr.
- (4) For purposes of this policy, "comments" include information, articles, pictures, videos, or any other form of communicative content posted on the city's social media site.
- (5) The establishment and use by any city department of city social media sites are subject to approval by the city commission.
- (6) City social media sites should clearly state they are maintained by the city and that they follow the city social media policy. All social media sites shall clearly indicate that any content posted or submitted for posting is subject to public disclosure.
- (7) The site should adhere to all applicable state, federal, and local laws, regulations and policies including city information technology and records management policies.
- (8) The designated coordinator of the social media site will monitor content on the social media site to ensure adherence to both the city's Social Media Policy and the interest and goals of the city. The city reserves the right to restrict or remove any content that is deemed in violation of the city's Social Media Policy or any applicable law. Any content removed based on these guidelines, must be retained by the designated coordinator as determined by the Email and Communications Retention Schedule in Appendix B including the time, date, and identity of the poster when available.
- (9) The city's website is <http://harrodsburgcity.org/> and will remain the city's primary and predominant internet presence. All city social media sites shall have the government's contact information prominently displayed. Whenever possible the city's social media sites should link

back to the city's official website for forms, documents, online services, and other information necessary to conduct business with the city.

- (10) All social networking coordinators shall be trained regarding the terms of the city social media policy including their responsibilities to review content submitted for posting to ensure compliance with the policy. When possible, the city's IT security policies shall apply to all social networking sites and articles.
- (11) Employees representing the city via the city's social media sites must always conduct themselves as a representative of the city and in accordance with all city policies.
- (12) The city will post the following on any social media page in a conspicuous location.

The city may prohibit comments or if allowed are subject to the following guidelines:

- a. The city, as a public entity, must abide by certain standards to serve all its constituents in a civil and unbiased manner.
  - b. The city's social media sites prohibit the posting of content and/or comments containing any of the following:
    - 1. Comments not topically related to the site or blog article being commented upon.
    - 2. Profane language or content.
    - 3. Content that promotes, fosters, or perpetuates discrimination based on race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability, sexual orientation, or any other protected class status.
    - 4. Sexual content or links to sexual content.
    - 5. Solicitations of commerce.
    - 6. Conduct or encouragement of illegal activity.
    - 7. Threats of violence to public safety.
    - 8. Information that may tend to compromise the safety or security of the public.
    - 9. Comments posted by automatic software programs.
    - 10. Content that violates legal ownership interest of any other party.
  - c. The city reserves the right to deny access to the city's social media sites for any individual who violates the city's social media policy at any time and without prior notice.
- (13) Departments within the city shall monitor their social media sites for comments requesting responses from the city and for comments in violation of this policy.
  - (14) When a city employee responds to a comment in their city employee capacity, the employee's name and title shall be made available and the employee shall not share personal information about themselves or other city employees.
  - (15) All comments posted to any city social media site are bound by the Social Media's Statement of Rights and Responsibilities, and the city reserves the right to report any violation to the social

media site with the intent being that the social media site takes appropriate and reasonable responsive action.

# Employee Guidelines for Participating in Social Media

- (1) The city understands that social networking and internet services have become a common form of communication in the workplace and among citizens. Employees that choose to participate in social media as a city employee should adhere to the following guidelines:
  - a. City policies, rules, regulations, and standards of conduct apply to employees that engage in social networking activities while conducting city business. Use of the city email address and communicating in an employee's official capacity will constitute conducting city business.
  - b. Protect the employee's privacy and the privacy of citizens by following all privacy protection laws, e.g., Health Insurance Portability and Accountability Act (HIPAA), and protect sensitive and confidential city information.
  - c. Follow all copyright laws, public records laws, retention laws, fair use, financial disclosure laws, and any other laws that might apply to the city or the employee's department.
  - d. Do not cite vendors, suppliers, clients, citizens, coworkers, or other stakeholders without their approval.
  - e. Make it clear that the employee is speaking for themselves and not on behalf of the city. If the employee publishes content on any website outside of the city and it has something to do with the work they do or is on a subject associated with the city, use a disclaimer such as: "The postings on this site are my own and don't necessarily represent the City of Harrodsburg's positions or opinions."
  - f. Do not use ethnic slurs, profanity, personal insults, or engage in any conduct that would not be acceptable in the city's workplace. Avoid comments or topics that may be considered objectionable or inflammatory.
  - g. If an employee identifies themselves as a city employee they should ensure their profile and related content is consistent with how they wish to present themselves to colleagues, citizens, and stakeholders.
  - h. Frame any comments, or opposing views, in a positive manner. Add value to the city through interaction by providing worthwhile information and perspective.
- (2) Guidelines for participating in social media by police officers and firefighters are contained within the Police Department Policy and Procedure Manual and the Fire Department Policy and Procedure Manual.

# Employee Privacy Expectations

- (1) Notwithstanding issues addressed specifically in other provisions of this handbook, employees can expect a reasonable degree of privacy in the contents of their work areas, including desks, cabinets, closets, and similar locations. However, when an employee is absent or otherwise unavailable, the city may seek out for a legitimate business purpose, material believed to be contained in those work areas.
- (2) Supervisors may examine work-area contents or listen to employee communications of their subordinate employees for the purpose of ascertaining or evaluating the quality and/or quantity of an employee's work.
- (3) Employees cannot expect any degree of privacy in any documents, records, files, or city-owned devices including but not limited to computers, cell phones, and tablets. Documents, records, files, and city-owned devices can be reviewed and searched at any time for any reason including preparation of a response to an open records request.
- (4) The contents of work areas may be subject to search where there is reasonable cause to believe there is a violation of these policies or evidence of a violation of any local, state, or federal law. Searches of work areas for this reason may only be conducted with the consent and involvement of the department commissioner.

# Smoke-Free Workplace

- (1) The city has a strict Smoke-Free Workplace Policy in all city buildings to provide a safe and healthy environment for all employees and customers.
- (2) Smoking, use of e-cigarettes, or chewing tobacco is not allowed:
  - a. In any city building;
  - b. In any city vehicle; or
  - c. In any other place prohibited by law or city ordinance.
- (3) Designated smoking areas outside and away from entrances to city buildings will be specified for employees.

# Customer Relations

- (1) The city requires city employees to provide excellent customer service to the public and to their coworkers. The same quality service is provided to all customers regardless of age, race, nationality, socioeconomic and educational background, physical condition, etc. The city's success and long-range plans are built on this commitment to provide excellent customer service by:
  - a. Revising policies to value and support customer service;
  - b. Creating customer service training;
  - c. Establishing plans for promoting customer communication; and

- d. Developing metrics for customer satisfaction.
- (2) All other city policies should be interpreted in relation to the customer service principles outlined in Appendix C of this handbook.

## **Open Records Policy**

- (1) KRS 61.870 to KRS 61.884, the Open Records Act, establishes a right of access to public records. The general assembly recognized that the free and open examination of public records is in the public interest. All public records whether they are stored in a computer or on paper, must be open for inspection, unless the records are exempted by one or more of the exemptions found in the Act. Employees may inspect any nonexempt public record regardless of their identity.
- (2) For more information on the city's process for requesting an open record, contact the city clerk or deputy city clerk.

## **Suggestion System**

- (1) Employees are encouraged to submit suggestions that could allow the city to operate more efficiently and effectively.
- (2) Information or notification of safety concerns or imminent hazards to employees or to the public should be reported directly to the supervisor responsible for the location or the work process. Anonymity as to this reporting cannot be guaranteed.
- (3) Suggestions should be submitted by the supervisor to the deputy city clerk or city clerk, who shall forward them to the city commission along with recommendations for approval or disapproval. Employees who submit suggestions that are approved may receive recognition at the city commission meeting following implementation of the suggestion.



## **Section 4 – Employee Code of Ethics**

Pursuant to the City's Ethics Ordinance, which can be obtained from the city clerk or deputy city clerk.

# Definitions

(1) Definitions applicable to this section:

- a. "Business" means any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, holding company, joint stock company, receivership, trust, professional service corporation, or any legal entity through which business is conducted for profit.
- b. "Board of Ethics" or "Board" means the City of Harrodsburg Board of Ethics which is created and vested by this ordinance with the responsibility of enforcing the requirements of the city's code of ethics.
- c. "City" refers to the City of Harrodsburg, Kentucky.
- d. "City agency" means any board, commission, authority, non-stock corporation, or other entity created, either individually or jointly, by this city.
- e. "Employee" means any person, whether full-time or part-time and whether paid or unpaid, who is employed by or provides service to the city. The term "employee" shall not include any contractor, subcontractor, or any of their employees.
- f. "Family member" means a spouse, parent, child, brother, sister, mother, father, son, daughter, grandparent, grandchild or the equivalent in-law relative or step relative.
- g. "Immediate family member" means a spouse, an unemancipated child residing in the officer's or employee's household, a person claimed by the officer or employee, or the officer's or employee's spouse as a dependent for tax purposes.
- h. "Officer" means any person, whether full-time or part-time and whether paid or unpaid, who is one of the following:
  1. A mayor or county judge/executive.
  2. A legislative body member.
  3. A city clerk or county clerk.
  4. A city manager or city administrator.
  5. A jailer, coroner, constable, or sheriff.
  6. A city attorney or county attorney.
  7. Any person who occupies a nonelected office created under the Kentucky Statutes.
  8. A member of the governing body of any agency who has been appointed to the agency by the city commission.

# Conflicts of Interest in General

- (1) Every officer and employee of the city and agencies thereof shall comply with the following standards of conduct:
  - a. No officer, employee, or any immediate family member of any officer or employee, shall have an interest in a business or engage in any business, transaction, or activity which is in substantial conflict with the proper discharge of the officer's or employee's public duties.
  - b. No officer or employee shall intentionally use or attempt to use their official position with the city to secure unwarranted privileges or advantages for themselves or others.
  - c. No officer or employee shall intentionally take or refrain from taking any discretionary action, agree to take or refrain from taking any discretionary action, or induce or attempt to induce, any other officer or employee to take or refrain from taking any discretionary action on any matter before the city, to obtain a financial benefit for any of the following:
    1. The officer or employee;
    2. A family member;
    3. An outside employer;
    4. Any business in which the officer, employee, or any family member has financial interest; or
    5. Any business with which the officer, employee, or any family member is negotiating or seeking prospective employment, other business, or professional relationship.
- (2) No officer or employee shall be deemed in violation of any provision in this section if by reason of the officer's or employee's participation, vote, decision, action, or inaction, no financial benefit accrues to the officer, employee, a family member, an outside employer, or a business as defined in subsection (4)(c) and (5)(c) of this section as a member of any business, occupation, profession, or other group, to any greater extent than any gain could reasonably be expected to accrue to any other member of the business, occupation, profession, or other group.
- (3) Every officer or employee who has a prohibited financial interest which the officer or employee believes or has reason to believe may be affected by their participation, vote, decision, or other action taken within the scope of their public duties shall disclose the precise nature to the governing body of the city or the agency thereof served by the officer or employee. The officer or employee shall refrain from taking any action with respect to the matter that is the subject of the disclosure.

# Conflicts of Interests in Contracts - KRS 61.252

- (1) No officer or employee of the city or any city agency shall directly or through others undertake, execute, hold, or enjoy, in whole or in part, any contract made, entered into, awarded, or granted by the city or a city agency, except as follows:

- a. The prohibition in subsection (1) of this section shall not apply to contracts entered into before an elected officer filed as a candidate for city office, before an appointed officer was appointed to a city or city agency office, or before an employee was hired by the city or a city agency. However, if any contract entered into by a city or city agency officer or employee before they became a candidate was appointed to office, was hired as an employee, is renewable after they become a candidate, assumes the appointed office, or is hired as an employee, then the prohibition in subsection (1) of this section shall apply to the renewal of the contract.
  - b. The prohibition in subsection (1) of this section shall not apply if the contract is awarded after public notice and competitive bidding unless the officer or employee is authorized to participate in establishing the contract specifications, awarding the contract, or managing the contract performance after the contract is awarded. If the officer or employee has any of the authorities as set forth in the preceding sentence, then the officer or employee shall have no interest in the contract unless the requirements set forth in subpart (c) below are satisfied.
  - c. The prohibition in subsection (1) of this section shall not apply in any case where the following requirements are satisfied:
    1. The specific nature of the contract transaction and the nature of the officer's or employee's interest in the contract are publicly disclosed at a meeting of the governing body of the city or city agency.
    2. The disclosure is made part of the official record of the governing body of the city or city agency before the contract is executed.
    3. A finding is made by the governing body of the city or city agency that the contract with the officer or the employee is in the best interests of the public and the city or city agency before the contract is executed.
    4. The finding is made a part of the official record of the governing body of the city or city agency before the contract is executed.
- (2) Any violation of this section shall constitute a Class A misdemeanor and upon conviction the court may void any contract entered into in violation of this section.
  - (3) Additionally, violation of this section shall be grounds for removal from office or employment with the city in accordance with any applicable provisions of state law and ordinances, rules, or regulations of the city.

## Misuse of Confidential Information

No employee of the city or any city agency shall intentionally use or disclose information acquired in the course of their official duties, if the primary purpose of the use or disclosure is to further their personal financial interest, the financial interest of another person, or the financial interest of another business. Information shall be deemed confidential if it is not subject to disclosure pursuant to the Kentucky Open Records Act, KRS 61.872 to 61.884, or the exceptions within the Open Meetings Act, KRS 61.810, at the time of its use or disclosure.

# Receipt of Gifts

No officer or employee of the city or any city agency shall directly or indirectly, through any other person or business, solicit or accept any gift whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence or could reasonably be expected to influence the officer or employee in the performance of their public duties.

# Use of City Property, Equipment, Time, and Personnel

- (1) No officer or employee of the city or city agency shall use or permit the use of any time, funds, personnel, equipment, or other personal or real property for the private use of any person, unless:
  - a. The use is specifically authorized by a stated city policy.
  - b. The use is available to the general public and only to the extent and upon the terms that such use is available to the general public.

# Political Activity

- (1) The city is a nonpartisan organization that operates in a political environment. Every employee must make the maximum effort to minimize any appearance of political favoritism while sustaining a harmonious working relationship with federal, state, and local leaders and citizens.
- (2) No employee shall be permitted to solicit funds or otherwise engage in any political campaign activity during working hours or while in a city uniform.
- (3) No employee shall use any supplies or equipment of the city for political purposes.
- (4) 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.

# Reporting Code of Ethics Violations and Penalties

- (1) An employee who becomes aware of a violation of any policy in the Code of Ethics should report the violation promptly to any one of the following:
  - a. The Board of Ethics;
  - b. Their immediate supervisor or department supervisor;
  - c. The city clerk or deputy city clerk;
  - d. The city attorney;

- e. The city commission; or
  - f. Any supervisor with whom the employee feels comfortable discussing the matter.
- (2) All reports of a violation of the Code of Ethics shall be reduced to writing by the reporting employee or by the person receiving the report. The employee may use the complaint form for this purpose. The report shall be signed by the complaining employee. All reports of violations will be kept confidential to the extent feasible and appropriate under the circumstances.
- a. All reports shall be reviewed and investigated. The violation will be investigated by the Board of Ethics. The results of the investigation will be communicated to the complainant, the alleged policy violator, and the city commission. Any employee found to have engaged in misconduct constituting a violation of this policy will be appropriately disciplined up to and including dismissal.
  - b. As provided under the Whistleblower Protection for City Employees Policy in Section 4 of this handbook, an employee making a report under this policy will not be discriminated against or be subject to retaliation in any way for having made the report. Any person found to have discriminated or retaliated against an employee who makes a complaint shall be subject to disciplinary action up to and including dismissal.
  - c. The city recognizes that the question of whether a particular course of conduct constitutes a violation of the city's Code of Ethics may require a factual determination. The city also recognizes that false accusations have serious impacts on innocent parties. If an investigation results in a finding that the complaining party made a false accusation with malice or with a reckless disregard for the truth, the complaining party will be subject to appropriate sanctions including dismissal.
- (3) An employee may speak directly to any member of the Board of Ethics about a violation of the Code of Ethics if the employee has reported a violation to members of management without result.
- (4) Any report regarding an elected city officer shall be submitted to the city Board of Ethics, who shall determine the course of the investigation and the proper manner to address the complaint.

## **Whistleblower Protection for City Employees**

- (1) The city strictly prohibits retaliation or discrimination against any employee who reports a violation of the policies contained in this handbook, or a violation of any applicable federal, state, or local law, or regulation to city supervisory staff, the Board of Ethics, law enforcement authorities, or other appropriate officials.
- a. No city employee shall use or threaten to use their supervisory authority or influence to discourage, restrain, suppress, dissuade, deter, prevent, interfere with, or coerce an employee from reporting any violation of the policies contained in this handbook to their supervisor or any other member of the city's supervisory staff.
  - b. No city employee shall retaliate or discriminate against an employee because they support, aid, or otherwise substantiate another employee who reports a violation of the policies contained in this handbook to the Board of Ethics.

- c. No city employee shall retaliate or discriminate against another employee because they report a violation of the policies contained in this handbook to the Board of Ethics after informing members of the city supervisory staff without satisfactory resolution.
  - d. The city strictly prohibits retaliation or discrimination against any employee who reports a violation of any applicable federal, state, or local law, or regulation to city supervisory staff, the Board of Ethics, law enforcement authorities, or other appropriate officials.
  - e. The provisions of this policy in no way alter the at-will employment status of city employees. This policy does not create any contractual or other rights for employees, and the city may alter, amend, or remove any policy contained in this handbook at any time.
- (2) Any employee who receives an official request from an outside agency for information related to the city shall promptly inform their immediate supervisor of the request. Any employee who receives a request from the media for information related to the city shall forward the request to the city clerk or deputy city clerk and shall otherwise follow the Media Communications Policy in Section 3 of this handbook.
- (3) Any city employee who makes a false report of a violation or discloses information related to a report of a violation of city policies or the law with reckless disregard for the truth shall be subject to disciplinary action including the possibility of immediate dismissal.

## **Section 5 – Employee Financial Practices, Reporting, and Reimbursement**



# **Purpose of the Employee Financial Practices, Reporting, and Reimbursement Policies**

The purpose of the policies contained in this section of the handbook is to outline for employees all allowable business-related expenses and provide instruction for the handling of purchases and employee reimbursement. Employees should also be guided by the other policies contained in this handbook in making any financial transaction on behalf of the city or in incurring any business-related expenses for the city, including the Code of Ethics and work conduct policies.

## **Employee Expense Reports and Reimbursement**

- (1) Business expenses may be charged to the city on a credit card issued to the employee in accordance with Use of City Credit Cards Policy in Section 5 of this handbook or paid from the employee's private funds and reimbursed upon the submission of the documentation required under this policy.
- (2) An employee requesting reimbursement for business-related expenses made on behalf of the city shall complete the Expense Report (HR Form 15). The employee shall submit expenses and supporting documentation in the following manner:
  - a. Expenses submitted for reimbursement are due to the city accounting department upon return from travel. Employees shall not include expenses from different calendar months on the same expense report.
  - b. Requests for reimbursement in expense reports shall be accompanied by an itemized receipt and all supporting documentation. The employee shall provide the business purpose, the date, location, amount, and the persons being covered by the purchase on the receipt or in the supporting documentation. Failure to provide a receipt and other applicable supporting documentation will result in denial of the reimbursement unless the expense report is accompanied by an approved Missing Receipt Affidavit (HR Form 16). Credit card statements will not be accepted as evidence of a receipt.
  - c. All expense reports must be approved and signed by the employee's supervisor or department supervisor with the responsibility of budgeting and reviewing business expense information for the employee's department. The city clerk, deputy city clerk, or their designee shall review all expense reports prior to reimbursement for the purpose of determining compliance with city policies. The city commission expense reports shall be submitted to the city clerk, deputy city clerk, or other staff as may be designated and approved by the city commission in accordance with the city budget.
- (3) An employee who submits a fraudulent receipt or falsifies their expense report will lose reimbursement privileges, will be terminated, or other appropriate disciplinary action will be taken.
- (4) The city may withhold reimbursement while it investigates or verifies expense report reimbursement requests.

# Use of a City Credit Card

- (1) The city has authorized revolving city credit cards to be issued to certain officers and employees recommended and approved by the city commission. City credit cards are for use in making operational business purchases, purchases related to meetings, and other legitimate business expenses as set forth in this policy.
  - a. Operational expenses are those expenses necessary for the running of the city. Examples include but are not limited to office supplies and equipment, other office-related expenses, computer supplies, and any other non-travel related expenses.
  - b. Meeting-related expenses include but are not limited to group meals, hotel meeting rooms, prepaid airfare, prepaid hotel accommodations, prepaid business car rental, prepaid conference and meeting registrations, prepaid expenses for meetings, and unanticipated event or travel needs.
  - c. These examples are not intended to limit credit card use for other legitimate business expenses.
- (2) Employees issued a city credit card for operational or meeting-related expenses will be subject to the following conditions:
  - a. Only legitimate business and operational-related purchases may be charged on a city credit card.
  - b. The city credit cards shall not be used for personal expenses of any kind. If an expense is determined to be personal in nature, the expense must be reimbursed immediately. The city commission upon review may require reimbursement of a personal expense outside of this time frame.
  - c. All monthly credit card statements shall be reviewed by the person named on the card and their immediate supervisor, both of whom shall sign each page of the statement as evidence that they accept the identified expenses as legitimate business expenses. In addition, the statements shall be reviewed by the city clerk, deputy city clerk, or their designee to determine compliance with city policies.
  - d. Itemized receipts of each transaction made using a city credit card must be submitted to the city clerk or deputy city clerk promptly for approval. The receipts shall provide details on the business purpose, date, location, amount, and persons covered by the purchase, and shall bear evidence of supervisor approval on their face. Credit card statements will not be accepted as evidence of a receipt.
- (3) The city will review the policy regarding credit card usage and credit card limits on an as-needed basis, but no less than every three years.

# Employee Travel Expense Reimbursement

- (1) All city officers and employees shall receive prior approval from the city clerk, deputy city clerk, and/or their immediate supervisor based on the city budget prior to any travel in the interest of the city. Prior to any travel, an employee shall receive prior written approval through the submission of a Travel, Meeting, and Training Request (HR Form 13). The Travel, Meeting,

and Training Request Form shall be reviewed and approved by the employee's immediate supervisor and the department commissioner. Any travel that has not been approved in the city operating or travel budget shall be approved by amendment of the budget by the city commission. Out-of-state travel that requires overnight stay shall be approved by the city commission.

- (2) Registration for conferences and meetings shall be performed by the city hall office clerk or other designated staff. Before registration is complete, the employee shall provide the city clerk or deputy city clerk with an approved copy of the Travel, Meeting, and Training Request Form. Employees should make an effort to provide this information in a timely manner so that the lowest possible registration fees may be obtained.
- (3) Reservations for overnight lodging shall be made by the city hall office clerk unless otherwise approved by the city commission. Before reservations are made, the employee shall provide an approved copy of the Travel, Meeting, and Training Request Form to the city clerk or deputy city clerk.
  - a. Reservations will be made in such a manner to secure the best available rate for safe, clean, and secure accommodations as close to the meeting location as possible. Every attempt should be made to stay in the hotel hosting the conference or meeting and to pay the conference room rate.
  - b. In-room movies, room service, mini-bar, use of hotel gym, spa or massage services, sauna facilities, or other additions to room bills are not reimbursable. Only usual and customary expenses are eligible for reimbursement.
  - c. A copy of the hotel folio or receipt showing proof of payment shall be submitted by the employee for expense reimbursement.
- (4) Car rental reservations shall be made by the city clerk or deputy city clerk unless otherwise approved by the department commissioner. The following guidelines shall apply when rental reservations are made:
  - a. Standard, full-size, mid-size, compact, or economy models shall be rented unless more than two persons are traveling together. Upgrades for other models are permissible if transporting materials, more than three individuals are traveling together, or other situations where cargo space is a factor. Unauthorized upgrades shall not be reimbursed.
  - b. The refueling option should be taken if extensive driving is planned. If the refueling option is declined, the car must be returned with a full tank of gas.
  - c. Rental vehicles should be returned to the original rental location to avoid costly drop-off charges unless there are extraordinary circumstances or returning the rental vehicle to a different location would provide an overall cost savings to the city in comparison to other travel alternatives.
  - d. Additional collision insurance offered by the rental company shall be purchased with the vehicle rental.
  - e. The Vehicle Accident Reporting Requirements Policy outlined in Section 3 of this handbook shall be followed in the case of an accident involving a vehicle rented by the city.

- (5) Employees may use a city-owned vehicle or their own vehicle for business travel on behalf of the city. Employees shall adhere to the following process related to mileage reimbursement:
- a. City vehicles:
    - 1. Employees using a city vehicle shall complete a mileage log detailing the amount of travel and the purpose of the travel.
    - 2. Employees traveling more than 50 miles in a city pool vehicle shall return the vehicle with a full tank of gas after use.
    - 3. In the event the city gas card is not available, employees using a city vehicle shall submit gas receipts for refueling a city vehicle to receive reimbursement.
    - 4. Employees using a city vehicle shall submit gas receipts at least once a month to city hall.
  - b. When an employee traveling on behalf of the city chooses to use their personal vehicle, the employee will be reimbursed for mileage. An employee shall be reimbursed at the mileage rate allowed by the Commonwealth of Kentucky for business expense deductions under the following guidelines:
    - 1. An employee shall not be reimbursed for transportation or commuting between the employee's home and their permanent workplace.
    - 2. Mileage shall not be reimbursed for attendance of a city function or event held outside of the workplace unless the employee has been assigned to work at the event.
    - 3. When an employee does not report to their permanent workplace or makes business trips before or after reporting to their permanent workplace, the allowable mileage is:
      - (a) The lesser of the mileage from the employee's residence to the first stop or from the office to the first stop;
      - (b) All mileage between points visited on city business during the day; and
      - (c) The lesser of the mileage from the last stop to the employee's residence or from the last stop to the city office.
    - 4. To receive mileage reimbursement, the employee shall state on their expense report the total number of miles traveled on city business. The employee shall include the starting points and ending destination for each trip along with a description of the purpose of the travel. Any travel of a personal nature while on city business shall be deducted from the total miles traveled.
    - 5. Parking violations and traffic or other moving motor violations are not reimbursable expenses.
    - 6. If the employee is involved in an auto accident while driving their own privately owned vehicle on city business, they shall follow the Vehicle Accident Reporting Requirements Policy outlined in Section 3 of this handbook.
- (6) The city will reimburse employees for the following expenses related to meals:

- a. Except for reimbursable expenses related to official city business as provided in Section 5 of this handbook, employees will only be provided nontaxable reimbursement for meals involving overnight travel required outside of Mercer County, Kentucky, with an itemized receipt. For meals that do not involve an overnight stay but that occur after 5:00 p.m., employees may choose to be reimbursed and the amount reimbursed will be added as taxable income to the employee with an itemized receipt. Meal reimbursement amounts are outlined below.
    1. Breakfast (\$10) will be reimbursed if the employee travels between 5:00 a.m. and 9:00 a.m.
    2. Lunch (\$15) will be reimbursed when the employee is traveling from 11:00 a.m. through 2:00 p.m.
    3. Dinner (\$25) will be reimbursed if the employee is traveling from 5:00 p.m. through 9:00 p.m.
  - b. For overnight stays an employee will be reimbursed the amounts for breakfast, lunch, and dinner for full days of travel. An employee will receive reimbursement for only certain meals on both the first and the last day of overnight travel depending on the employee's departure and return times.
  - c. If the employee has attended a conference or training in conjunction with the travel, the employee is required to submit a detailed program agenda for meal reimbursement.
  - d. Employees may submit and receive reimbursement for a group meal receipt for more than one employee if the dining establishment is unable or unwilling to provide individual checks, provided that the total cost of the meal does not exceed the total allowable reimbursement for all the participating employees. An employee submitting a group meal receipt will follow the procedures required in Section 5 for reimbursement on an expense report, or in the Use of a City Credit Card Policy in Section 5 when using a city credit card for documentation of the expense and will additionally state on the receipt that the receipt is for a group meal and the name of each participating employee. Employees covered by a group meal receipt will not be eligible for reimbursement for that meal.
- (7) The city will reimburse employees for the following expenses relating to parking:
- a. An employee may request reimbursement for parking fees for leaving a vehicle at an airport in conjunction with out-of-state travel on behalf of the city. For airport parking, the employee will only be reimbursed for long-term parking rate. If the employee uses short-term parking or valet services the employee will only be reimbursed for the cost of long-term parking fees applicable at the airport of departure. As an alternative to airport parking an employee may elect to be reimbursed for the mileage related to being dropped off or picked up at the airport. The employee may be reimbursed the lesser of the mileage between the airport and the employee's residence or the mileage between the airport and the employee's permanent office or workplace. In no event will the amount of mileage reimbursement exceed the amount the employee would have spent on long-term parking.
  - b. An employee will be reimbursed for parking at hotels or overnight lodging accommodation for business-related meetings or in conjunction with business travel for the city. Employees will only be reimbursed for standard hotel parking rates unless the option is not available. Employees electing valet parking will only be reimbursed up to an amount equal to the standard parking rates applicable at the hotel.

- c. All other business-related parking fees are reimbursable upon the submission of a valid receipt in accordance with the Employee Expense Reports and Reimbursement Policy in Section 5 of this handbook.
- (8) Employees should evaluate their individual circumstances and select the safest and most economical alternative when traveling to and from all destinations. Employees may be reimbursed for taxis, ride-sharing services, shuttles, public transportation, and rapid transit used for business-related transportation. Employees may be reimbursed for the payment of gratuities for taxi drivers up to a maximum of 20% of the total fare. The employee will submit a receipt in accordance with the Employee Expense Reports and Reimbursement Policy in Section 5 of this handbook.
- (9) When a city employee is required to travel for a business purpose, long distance telephone calls that are infrequent and short in duration are acceptable. When possible, the employee should use a mobile telephone or a telephone credit card provided by the city rather than incurring long distance telephone charges or charging long distance calls to a hotel room bill.
- (10) Except as otherwise specifically provided in this policy, gratuities related to employee travel will not be a reimbursable expense.
- (11) The city will not reimburse or pay for the travel of an employee's family member or other guest. When a family member or other guest joins an employee on business-related travel, the employee or the guest is responsible for paying all travel costs including airfare and meals.
- (12) Except for the travel-related expenses outlined in this policy, all other travel-related expenses are deemed non-reimbursable unless approved in writing by the city commission and accounted for in the city budget. An employee will submit their travel-related expenses for reimbursement on an Expense Report (HR Form 15) upon return from travel as provided in Section 5 of this handbook.
- (13) In the case of extreme financial hardship, an advance for overnight travel may be granted to an employee by the city commission. The request will be made by the employee in writing with enough time to approve the request and process an advance check. An employee who has received a travel advance must deduct the total amount of the advances from the total reimbursement request when submitting an expense report detailing expenditures. If the amount of the advance exceeds the total reimbursable expenditures, the employee will pay the difference back to the city.

## **Reimbursable Expenses Related to Official City Business**

- (1) City officers or employees receiving prior approval from the city commission will be reimbursed for reasonable business expenses incurred while conducting official city business. Examples of official city business include but are not limited to situations where individuals present are representing the city or if the individual's attendance has been requested by the city. The individual seeking reimbursement shall be responsible for using good judgment to ensure the expenses incurred are budgetarily sound and are compatible with the goodwill of the city.
- (2) Receipts detailing the business purpose, date, location, amount, and persons present must be submitted with the expense report as provided under the Employee Expense Reports and Reimbursement Policy in Section 5 of this handbook, or if a city credit card is used as provided

under the Use of a City Credit Card Policy in Section 5 of this handbook. This information shall be written on the front or back of the receipt and on the expense report.

- (3) In the event the receipt is for reimbursement of a meal, an itemized receipt shall be submitted and the gratuity shall not exceed 20% of the cost.

## **Alcohol Reimbursement Policy**

No reimbursement will be made for alcoholic beverages.

## **Purchasing and Procurement**

- (1) When an employee's position requires spending city funds or incurring any reimbursable personal expenses, that individual must use good judgment on the city's behalf to ensure that good value is received for each expenditure. City funds and all assets are for city purposes only and are not for personal benefit.
- (2) Employees authorized to make purchases on behalf of the city must follow the procedures outlined as approved by the city commission and within the limits of the city budget as approved by the city commission.
- (3) Purchases under \$500 do not require quotes.
- (4) Purchases from \$500.01 to \$19,999.99 require three quotes.
- (5) Purchases over \$20,000 require advertisement and bidding.
- (6) The amount of budgeted expenditures which may be approved by each level of management is as follows:
  - a. Department supervisors without city commission approval may approve budgeted expenditures up to \$5,000;
  - b. Supervisors with department commissioner approval may approve budgeted expenditures up to \$19,999;
  - c. The city commission may approve budgeted expenditures without bidding for purchases under \$20,000; and
  - d. The city commission approves all budgeted expenditures exceeding the \$20,000 threshold set in ordinance that have been properly bid.
- (7) Before a purchase is made, employees must request a purchase order number from city hall. A purchase order number will not be given after a purchase or service has been rendered.
- (8) When a vendor comes into the city limits to do work, they must adhere to the following before the work has started:
  - a. A copy of their City of Harrodsburg Business license;
  - b. A completed W-9; and
  - c. A copy of their certificate of liability insurance showing their worker's comp status. Also, the certificate must list the City of Harrodsburg as the certificate holder.



- (9) Employees must complete a purchase order form and procurement form on everything purchased including ads for the newspaper.
- (10) No employee may give final approval for expenditures directly relating to themselves. All such expenses regardless of the dollar amount must be approved by the employee's immediate supervisor or by the city commission.

## Disposal of City Property

- (1) Before selling or otherwise disposing of any real or personal property, the city shall make a written determination setting forth and fully describing:
  - a. The real or personal property;
  - b. Its intended use at the time of acquisition;
  - c. The reasons why it is in the public interest to dispose of it; and
  - d. The method of disposition to be used.
- (2) Real or personal property may be:
  - a. Transferred with or without compensation to another governmental agency;
  - b. Transferred with or without compensation for economic development purposes, which shall include but not be limited to real property transfers for the elimination of blight;
  - c. Sold at public auction following publication of the auction in accordance with KRS 424.130(1)(b) and the city will advertise an online auction for not less than seven days nor more than 21 days.
  - d. Sold by electronic auction following publication of the auction including the uniform resource link (URL) for the site of the electronic auction in accordance with KRS 424.130(1)(b);
  - e. Sold by sealed bids in accordance with the procedure for sealed bids under KRS 45A.365(3) and (4);
  - f. Traded towards the purchase of the same or similar type of property if the trade-in value received equals or exceeds the actual fair market value of the property as determined using an independent appraisal;
  - g. Sold for its appraised fair market value or a greater amount if the property is valued at \$5,000 or less in an independent appraisal. Property sold under this paragraph may not be sold to a city officer, employee, or a family member of a city officer or employee as defined in the city's ethics ordinance adopted under KRS 65.003;
  - h. Sold for scrap or disposed of as garbage in a manner consistent with the public interest if the property has no value or is of nominal value as determined by an independent appraisal; or
  - i. Sold by the Finance and Administration Cabinet under an agreement with the city.
- (3) If a city receives no bids for the real or personal property, either at public or electronic auction or by sealed bid, the property may be disposed of consistent with the public interest in any



manner deemed appropriate by the city. In those instances, a written description of the property, the method of disposal, and the amount of compensation, if any, shall be made.

- (4) Any compensation resulting from the disposal of this real or personal property shall be transferred to the general fund of the city.

## **Contract Review and Execution**

- (1) All written contracts or contract renewals shall be reviewed by the city attorney or their designee before execution.
- (2) Approval from the city commission in accordance with the city budget and specifications as set by the city commission is required prior to requesting the city attorney to draft a contract on behalf of the city.
- (3) The department supervisor shall provide a copy of the contract or the information necessary for drafting of the contract to the city attorney or their designee as soon as possible to expedite the review or drafting process.
- (4) All contracts made on behalf of the city shall be signed by the mayor.
- (5) A copy of all executed contracts must be provided to the city attorney, the city clerk, deputy city clerk, or other designated city employee for tracking and filing purposes unless other arrangements have been made.

## **Check Handling by City Employees**

Any check or other form of payment received by a city employee shall be immediately presented to the city clerk or deputy city clerk or their designee for deposit.

## **Invoices**

- (1) All invoices received by mail will be routed to the department supervisor for approval in accordance with the city budget.
- (2) Accounts payable checks will be cut weekly. The city clerk, deputy city clerk, or their designee shall review all check run reports prior to the release of checks. All checks shall require two signatures.
- (3) Invoices received for payment will be paid in accordance with the terms stated on the invoice or by the negotiated agreement/contract.

## **Section 6 – Classification and Compensation**

# Employment Types and Classification

- (1) As used in this handbook, the terms below shall have the following meanings:
  - a. “Full-time employee” is an employee who is normally scheduled and expected to work a minimum of 40 hours each workweek on a regularly scheduled basis.
  - b. “Part-time employee” is an employee who is normally scheduled and expected to work less than 40 hours in a single workweek and for retirement purposes averages less than 100 hours a month in a calendar or fiscal year.
  - c. “Temporary employee” is an employee who is hired and works for a definite period of time. Generally, a temporary employee will be employed for a period of time not to exceed nine months and the position is not renewable.
  - d. “Seasonal employee” is an employee hired in a position that is temporary in duration and whose position coincides with a particular season or seasons of the year and which may recur regularly from year to year. The time period of employment shall not exceed nine months.
  - e. “Intern” is an individual who works in an internship position approved by the city commission and as outlined in the budget for one period not to exceed 26 weeks. The position may be paid or unpaid, as designated by the budget and/or pay and classification plan. To be eligible for city internship positions the individual must have completed their sophomore year at an accredited college or university and must have declared their major prior to the start of the internship.
- (2) Employees occupying full-time positions will be entitled to benefits provided by the city. All other categories of employment shall not be entitled to benefits except those required by state or federal law unless recommended and approved by the city commission.
- (3) The city designates all employment positions as either “exempt” or “nonexempt” based on applicable federal and state laws and regulations. The classifications are for purposes of determining whether overtime compensation is due for any time worked in excess of 40 hours in a single workweek. Classifications of positions are reviewed by the city commission, city clerk, deputy city clerk, and in consultation with the city attorney at the time of position creation or modification and on an annual basis to ensure legal compliance. As used in this handbook, the terms below shall be given the following meanings unless specifically stated otherwise:
  - a. “Nonexempt employee” is an employee in a position whose duties and responsibilities require overtime compensation for any time worked in excess of 40 hours in any workweek pursuant to the Fair Labor Standards Act (FLSA) and Kentucky wage and hour laws. The additional overtime compensation for nonexempt employees is calculated under the city’s Overtime Compensation Policy established in Section 6 of this handbook.
  - b. “Exempt employee” is a salaried employee in a position whose duties and responsibilities render the employee exempt from the overtime requirements of the FLSA and Kentucky wage and hour laws. An exempt employee is not eligible for additional compensation for working in excess of 40 hours in a workweek under the city’s Overtime Compensation Policy established in Section 6 of this handbook.

# Fiscal Year

The city's fiscal year is the period from July 1 to June 30.

## Official Workweek

- (1) The official workweek for each department will be as follows:
  - a. Employees in every department other than the fire department and those that work third shift in any department, shall begin at 12:00 a.m. on Saturday and end at 11:59 p.m. Friday.
  - b. Employees in the fire department shall begin at 12:00 a.m. on Thursday and end at 11:59 p.m. Wednesday.
  - c. All third shift employees as approved by the department commissioner.
- (2) The official workweek may be changed at any time but not to avoid overtime requirements.

## Overtime

- (1) "Overtime" means any time worked by a nonexempt employee in excess of 40 hours in any single workweek. In addition, if a nonexempt employee works seven days in any one workweek and works over 40 hours in those seven days, all hours worked on the seventh day are at time-and-a-half. For purposes of this section workweek is defined in this handbook.
- (2) Time off with or without pay such as holiday hours, vacation, sick leave hours, suspension, and administrative leave hours are not included in the calculations for overtime purposes.
- (3) The city is required under the FLSA and Kentucky wage and hour laws to pay overtime wages to a nonexempt employee if the employee works more than 40 hours in a single workweek. Overtime wages shall be calculated at a rate of one-and-one-half times the employee's regular hourly rate of pay.
- (4) A nonexempt employee must be authorized orally or in writing by the employee's immediate supervisor prior to the employee's performance of any work that would result in overtime. The employee shall verify that their time record accurately reflects any overtime worked as required in Section 6 of this handbook. Any employee who works overtime without prior authorization or fails to properly report overtime work shall be subject to disciplinary action.
- (5) The department commissioner is responsible for approval of overtime work for employees working five hours or more over 40 hours. Unless an emergency situation, all overtime must be approved in advance.
- (6) Firefighters working 24/48-hour shifts because of the nature of their work and because of the requirements placed upon their working hours by applicable Kentucky law, necessarily accrue overtime in a given work week as follows:
  - a Overtime scheduled in advance of the workweek is taken into consideration in calculating such employees' annual pay hereinafter referred to as "scheduled

overtime.” “Scheduled overtime” shall be paid to such employees regardless of the number of hours worked in a given workweek.

- b Overtime which is not “scheduled overtime” shall be governed in accordance with the provisions of the paragraphs immediately preceding.
- (7) The department commissioner and the employee’s department supervisor may require any nonexempt employee to take time off during any workweek that the employee has worked or will work more than 40 hours to minimize overtime costs.
- (8) Exempt employees are not eligible for overtime compensation.

## **Compensatory Time for Exempt Employees**

- (1) Exempt employees as of the date of this Municipal Order No. [12-19-2022](#), with accrued compensatory hours may continue to use accrued compensatory time.
- (2) Exempt employees as of the date of this Municipal Order No. [12-19-2022](#), will be paid any unused compensatory time at the employee’s separation of employment. The applicable hourly rate for exempt employees shall be calculated as provided in Section 6 of this handbook and subject to all required deductions.
- (3) Nonexempt employees continue to be ineligible to accrue compensatory time for any hours worked over 40 hours in a workweek but will be paid overtime in accordance with the Overtime Policy in Section 6 of this handbook.
- (4) The maximum number of compensatory hours that may be accrued is 240.
- (5) All compensatory time off is given at the rate of hour for hour for each hour worked over 40 hours with the total maximum of 240 being accrued.
- (6) Requests for time off using accrued compensatory time must be done on a prior approval basis by the submission of the Absentee Request (HR Form 07). The request must have the approval of the employee’s department supervisor or department commissioner and will be scheduled to meet the needs of the employee, the city, and the public.
- (7) An exempt employee may request two compensatory time checks in 40 hour increments each fiscal year. The exempt employee must complete a Request for Purchase of Unused Compensatory Time (Form 22) and have the approval of the department supervisor or department commissioner.

## **Work Performed by Employees Outside of Normal Working Hours**

- (1) Employees shall not perform any work outside of their normal work hours unless the work has been approved in advance by their supervisor. In addition to all time the employee is required to be on the work premises or at an assigned work location. “Work” also means any effort, whether physical or mental, exerted by the employee for the benefit of the city including but not limited to travel time to and from an off-site work location and any time spent by the

employee using the phone, email, text messaging, or other electronic communications for the purposes of the city regardless of the time of day or the location where such effort is expended.

- (2) Under both federal and state law, a nonexempt employee shall be compensated for any and all work that they perform for the city. Any work performed, including work performed outside of normal working hours by a nonexempt employee in a single workweek that results in overtime, shall be governed by the Overtime Policy within this handbook. All employees shall keep track of any time spent working outside of their normal working hours and report that time in accordance with this handbook.
- (3) An employee that has the service of an electronic device paid for by the city as allowed by the Mobile Telephones and Communication Devices Policy within this handbook with the explicit expectation for it to be used outside of normal working hours on an ongoing basis. Employees without an electronic device paid for by the city should not, unless in extreme circumstances, be taking calls or responding to text messages and emails with approval of the supervisor. Any nonexempt employee with a cumulative number of 10 minutes or more of communication per workweek will be paid for this time with proof of the call, text, or email. All nonexempt employees shall communicate each work week with their supervisor if the inclusion of such time will result, or appears it could result, in overtime so that appropriate action may be taken to avoid overtime if possible.
- (4) No employee shall be required, encouraged, or expected to work “off the clock,” which is defined as not tracking or reporting time worked. If any employee has been required to work “off the clock,” they shall report it immediately to the department commissioner. Any supervisor that has required or is attempting to require “off the clock” work shall be subject to disciplinary action.

## **Call Out and On-Call Employees**

- (1) As a condition of employment, employees shall agree to report within a reasonable period if requested during a period of emergency. If an employee is called to report to work either after normal working hours or before normal working hours, the employee shall be paid at the regular rate of pay for actual time worked.
- (2) Call out is when an employee is called to report to work outside the regularly scheduled work period. Call out does not include holdover or previously scheduled 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.
- (3) 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 workweek and rounded to the nearest 10 minutes for reporting purposes and recorded daily on the employee's time sheet with appropriate documentation.
- (4) Employees with assigned on-call responsibilities on non-scheduled workdays shall be compensated for two hours overtime daily. On-call employees shall be designated by the city commission in response to changing service requirements.

- (5) Employees who are on call must adhere to all city policies, including the Vehicle Use Policy and the Drug- and Alcohol-Free Workplace Policy as well as specific policies found in the Fire Department Policy and Procedure Manual.

## **Trading Time**

- (1) Per Kentucky Administrative Regulations (803 KAR 1:063). Fire shift personnel can trade time and this practice will be deemed to have no effect on hours of work as long as the trading of time is done voluntarily by the employees and not due to the city department's operations and a record is maintained of all time traded.
- (2) Guidelines for participating in trading time by firefighters are contained within the Fire Department Policy and Procedure Manual.

## **Base Salary and Salary Adjustment**

The base salary for each employee is determined in accordance with the pay and classification ordinance created by the city commission. The mayor and commission shall be responsible for administering, evaluating, and establishing compensation for all employees. The city employee compensation program shall be operated under the following conditions:

- (1) In its effort to ensure fair pay for all its employees, the city periodically adjusts base salaries and the salary ranges under its pay and classification ordinance based upon professional market studies and pay analysis. The city may make annual market or cost-of-living adjustments to the compensation of employees depending upon the availability of funds in the city budget.
- (2) In addition to the pay analysis, other factors for establishing employee pay under the compensation program include, among other things, the skill and effort necessary for efficient and effective job performance, the quality and quantity of actual job performance, the degree of responsibility such performance demands, the conditions under which the job is performed, the employee's experience, length of employment, the employee's educational and professional achievements, including licensure and certifications, and commensurate pay for similar jobs in the marketplace.
- (3) 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.
- (4) Insofar as practical, newly employed personnel will receive the minimum salary for the class to which the position is allocated at the time of appointment. Appointments may be made at a salary above the minimum but not more than the maximum for a class in cases of unusual difficulty in filling the position or if necessary, in order to hire exceptionally qualified personnel. Documented justification for either instance shall be required prior to the actual appointment.
- (5) Employees may receive increases based on obtaining specific licensure, certification, or training for that department. An employee that receives such an increase must maintain the licensure, certification, training, or be subject to losing the increase pursuant to the Professional Memberships, Training, Licensing and Certification Policy within Section 7 of this handbook.

# Payroll Deductions

- (1) The city will make all legally required deductions from an employee's gross pay in accordance with applicable legal requirements including:
  - a. Federal and state income taxes;
  - b. Social Security (FICA) taxes; and
  - c. Deductions required by wage garnishment or child support orders.
- (2) The city may also deduct from an employee's pay their portion of insurance premiums and voluntary city offered contributions.
- (3) Employees may request voluntary deductions be made from their gross pay, such as contributions to optional retirement plans. The employee shall obtain the appropriate form to request voluntary deductions from the city clerk or deputy city clerk.
- (4) When the city must rely on information provided by the employee in order to make any legally required deduction, it is the sole responsibility of the employee to provide accurate and timely information to the city.
- (5) In accordance with the Fair Labor Standards Act (FLSA), the city prohibits improper deductions from the pay of exempt employees and will reimburse employees for any improper deduction. When an exempt employee has exhausted all paid leave the city may deduct for absences of one or more full days for leave related to sickness, disability, unpaid disciplinary suspensions, or for other personal reasons. In addition, the city may make either full- or partial-day deductions from the pay of an exempt employee during the first or the last week of employment when only part of the week is worked by the employee, or for any unpaid leave taken in accordance with a legitimate absence under the Family and Medical Leave Act (FMLA). Any exempt employee who believes that an improper pay deduction has been made shall immediately file a written complaint with the city clerk or deputy city clerk setting forth the dates, amounts, reasons, and any other information for the pay deduction. The city clerk or deputy city clerk along with the department commissioner shall take immediate action to investigate the issue and if found to be an improper deduction, shall cause the employee to be compensated for the improper deduction within two pay periods from the date the written complaint was filed.
- (6) No other deductions will be made.
- (7) All deductions from an employee's pay will be listed on their pay stub. If an employee has questions about any deductions from their pay or if they believe improper deductions have been made from their pay, they must immediately report their concerns to the city clerk or deputy city clerk.

# Garnishments

It is the policy of the city to expect its employees to be prompt in the payment of their personal debts. Any employee who fails to satisfy personal debts and for whom the city is served garnishments for two separate indebtedness (not including child support) within a 12-month period is subject to disciplinary action including suspension or termination. In the case of police and fire department employees, garnishments for



two separate indebtedness (not including child support) within a 12-month period may be considered conduct unbecoming an officer and therefore grounds for disciplinary action.

## **Direct Deposit**

The city has a weekly pay period for all employees. The net earnings for each pay period will be deposited directly in the employee's account at the financial institution of the employee's choice. The city clerk or deputy city clerk can furnish details on the requirements of direct deposit.

## **Time Records**

- (1) Clocked in/out time records will be kept on all employees to facilitate the city's compliance with overtime pay requirements. Employees shall submit time records through timecards. The time record will reflect a single pay period consisting of one workweek. Time must be logged as the total number of hours worked each day excluding meal periods. Any vacation, sick, compensatory, or other paid leave time used by the employee must be recorded on the time record. Supervisors shall review and approve or disapprove time records in a timely manner.
- (2) Except for the immediate supervisor of the employee, all employees are forbidden from entering any information on another employee's time record. An employee shall not falsify information on their own time record. Employees found to have violated this policy will be subject to discipline up to and including discharge. Any errors discovered in an employee's time record shall be immediately reported to the employee's immediate supervisor who will determine the manner and method of correcting legitimate errors.

## **Unemployment Compensation Insurance**

Employees may be eligible for unemployment benefits upon termination of service with the city. Unemployment rights, benefits, and eligibility are governed by state law and can be explained by the state unemployment office. Unemployment compensation insurance premiums are paid for entirely by the city.

## **Section 7 – Health, Retirement, and Other Benefits**

# Limitations of Coverage

All insurance benefit coverages stated in the City of Harrodsburg Employee Handbook are subject to plan document restrictions, if applicable.

## Health Insurance

- (1) All full-time employees, elected/appointed officials and other employees qualifying under the Affordable Care Act (ACA) are eligible for group health insurance for themselves and their dependents beginning on the first day of employment. Dependents are defined in the Certificate of Coverage.
- (2) The city may provide coverage for employees and their dependents up to a maximum amount as determined by the city and reflected in the annual budget. Specific information regarding health insurance plans available to employees should be obtained from the city clerk or deputy city clerk.
- (3) The city complies with federal regulations under the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) and any additional amendments designed to provide employees and eligible dependents with the opportunity to continue health insurance coverage at group rates where the coverage would otherwise cease, such as upon termination of employment, death of the employee, divorce, or a child ceases to be a qualified beneficiary. The premium for this continuation coverage shall be the sole responsibility of the employee or dependent unless otherwise provided for by law. Coverage is not automatic and employees and/or their eligible dependents must make an affirmative election before coverage will begin. More detailed information regarding the continuation of health insurance coverage under COBRA may be obtained by going to the U.S. Department of Labor website at <https://www.dol.gov/general/topic/health-plans/cobra>.

## Dental Insurance

All full-time employees and elected/appointed officials may be eligible for dental insurance for themselves and their dependents beginning on the first day of employment. Specific information about the city's dental insurance plan is available from the city clerk or deputy city clerk.

## Vision Insurance

All full-time employees and elected/appointed officials may be eligible for vision insurance for themselves and their dependents beginning on the first day of employment. Specific information about the city's vision insurance plan is available from the city clerk or deputy city clerk.

## Life Insurance

- (1) All full-time employees may be provided with life insurance coverage.
- (2) Life insurance coverage shall be in the amount approved by the city commission as reflected in the annual budget. Specific information about the city's life insurance plan is available from the city clerk or deputy city clerk.

# Employee Assistance Program

- (1) The city will provide confidential and voluntary assistance through its employee assistance program (EAP) to all employees and their family members who may be faced with dynamic challenges of financial concerns, legal issues, alcohol or drug problems, relationship problems, illness of a family member, emotional worries, childcare problems, etc. For the welfare of the employees as well as effective business operations, the city encourages its employees to take advantage of this valuable benefit of employment with the city.
- (2) Employees and their family members can refer to the EAP. The program may be reached 24 hours a day on weekdays and weekends. For information on the employee assistance program, contact the city clerk, deputy city clerk, or go to [anthemcap.com](http://anthemcap.com) and enter your company code, which is KLC, or call **800.865.1044**.
- (3) EAP counselors are available to meet with employees or family members to assess a problem and develop a plan for resolution. The counselors may suggest a referral to an outside resource such as a therapist, agency, physician, treatment facility, or other professional that would be appropriate to assist in resolving the problem or situation. Where an employee may need information, a referral or suggestion may be given over the telephone. There is no charge for employees or their families to use the EAP.
- (4) The EAP counselors will make every effort to coordinate referral for ongoing treatment with the employee's health insurance coverage and their ability to pay for the ongoing treatment. Any time needed for illness-related appointments made by the EAP requires use of sick, vacation, or personal time on the same basis that it is granted for other health issues.
- (5) When an employee's job performance or attendance is unsatisfactory or there appears to be signs of other problems during the workday, the supervisor should counsel the employee in consultation with the city clerk, deputy city clerk, or designee with an end toward resolving the situation. If the employee appears to be unwilling or unable to correct the situation, the employee may be referred to the EAP to assist in the resolution of the problem. Depending on the situation, the employee may accept or refuse participation in the EAP. However, there may be situations where continued employment with the city may be contingent upon the employee calling the EAP for assistance.
- (6) Participation in the EAP does not jeopardize job security or promotional opportunities. However, it does not excuse the employee from following the city policies and procedures or meeting required standards for satisfactory job performance except where specific accommodations are required by law.
- (7) All contact between an employee and the EAP is held strictly confidential. In cases where an employee's continued employment is contingent upon calling the EAP, the EAP counselor will only verify whether the employee has contacted the EAP, if ongoing treatment is necessary, and that the employee is following through on the treatment.

# Workers' Compensation

- (1) The city pays the entire amount of the workers' compensation insurance premium providing benefits to employees who experience injury or illness in connection with employment. Eligibility begins on the first day of employment. Workers' compensation benefit entitlements

are governed by KRS Chapter 342. If employees have questions concerning their rights or benefit amounts, they should contact the city clerk or deputy city clerk.

- (2) Unless extenuating circumstances make it impossible or impractical, an employee who is injured or becomes ill in connection with employment, regardless of the severity of the injury, shall immediately notify their immediate supervisor who will see to necessary medical attention and assist in the completion of any required reports. In any case of serious injury, employees are required to receive prompt medical attention by a physician authorized under the city's designated workers' compensation plan.
- (3) Except in the case of serious illness or injury, an employee must also call the "Company Nurse" on the Injury Hotline at **855.339.1889**. More information on this program can be found in Section 3, Reporting Work-Related Accident Policy.
- (4) 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.
- (5) Employees receiving workers' compensation for job-related injuries or disease may not use sick and/or vacation leave to supplement the workers' compensation payment.
- (6) Vacation and sick leave benefits will not continue to accrue while on workers' compensation.
- (7) For periods of three or more days see the FMLA Policy within Section 8 of this handbook.
- (8) If the city has reasonable suspicion that the employee's drug or alcohol use may have been a factor in an injury while the employee is working for the city, the employee will be subject to the post-accident drug testing policy found within the city's Drug- and Alcohol-Free Workplace Policy in Section 3 of this handbook.

## Return-to-Work Program

- (1) It is the policy of the city when possible, to modify work assignments for a limited period to assist employees who are temporarily restricted from performing their regularly assigned duties due to an on-the-job injury. Note: This policy should not be construed as recognition that an employee has a disability as defined by the Americans with Disabilities Act (ADA) of 1990 and its Amendments.
- (2) This policy applies to all city employees.
- (3) Definitions:
  - a. Return-to-Work (RTW) (modified-duty) position is a temporary position to which an employee is assigned when they are unable to return to their regular position following an on-the-job injury or illness. The RTW position temporarily addresses the restrictions placed on an individual by an evaluating physician.
  - b. Employment-related injury is an injury or occupational disease which arises from the course and scope of employment and is a compensable injury or illness, as defined under the Kentucky Workers' Compensation Act.
  - c. Evaluating physician in this policy means a Doctor of Medicine, osteopathic medicine, optometry, dentistry, podiatry, or chiropractic who is licensed and authorized to

practice within the scope of their license within the commonwealth as defined in the Kentucky Workers' Compensation Act.

- (4) It is the responsibility of the employer to inform the evaluating physician and the claims adjuster of the employer's RTW Program; to adhere to the assigned restrictions/limitations for the specified period of time; to maintain a positive attitude toward working within physical restrictions/limitations; and to continue to seek and follow appropriate medical care throughout the recovery period.
- (5) It is the responsibility of the employer to review and evaluate work alternatives for a temporary specified period of time as established by the evaluating physician; to evaluate the job description and modify requirements within the position to accommodate the employee to the assigned restrictions; to monitor the injured employee to ensure work performed is within the assigned restrictions; and to continue to review and adjust job assignments as the medical condition improves and restrictions change until the final goal of either release to full duty or maximum medical improvement is achieved.
- (6) It is the responsibility of the evaluating physician to assign specific temporary restrictions for a specified period of time; to review and adjust assigned restrictions at each evaluation; and to maintain beneficial and appropriate medical care and treatment with the goal of moving the injured worker to full duty release or maximum medical improvement.
- (7) It is the responsibility of the claims adjuster to obtain specific temporary restrictions/limitations for a specified period of time from the evaluating physician after each evaluation; to communicate verbal and written restrictions to the designated employer contact; and to work effectively with the injured employee, employer, and physician to reach the goal of returning employee to gainful employment.
- (8) To be eligible for participation in the RTW Program, an employee must have a written statement from the designated treating physician stating that they are:
  - a. Temporarily unable to perform their essential duties following an employment-related injury or illness; and
  - b. Capable of carrying out work of a lighter or modified nature from their regular duties and they are expected to return to their regular duties within 90 calendar days.
- (9) Once notified of an on-the-job injury or illness, and the injury has been reported to the employer's workers' compensation carrier, the employer will inform the employee in writing of the RTW Program.
- (10) The employee must be seen and evaluated by a physician to determine if the employee is able to return to work and if so with or without restrictions.
- (11) Prior to the evaluation or as soon thereafter, the employer must inform the evaluating physician of the RTW Program and provide them with a copy of the employee's regular job description that identifies the essential job functions and its requirements.
- (12) When the employee can return to work with restrictions, the employee's evaluating physician must complete a report indicating the specific restrictions and the duration of those restrictions. Clarification regarding temporary restrictions may be requested of the evaluating physician.
- (13) Taking into consideration the information provided by the evaluating physician, the executive authority with assistance from their city attorney, will determine if a temporary modified-duty

assignment can be offered. There may be instances in which the city will not be able to offer a modified-duty assignment.

- (14) If the employee's regular department is unable to meet the employee's need for the modified-duty position, the employee's department is responsible for payment of the employee's salary and benefits while performing a modified-duty position in a different department which has been able to meet the employee's need for modified duty.
- (15) Income benefits otherwise payable to the employee by the workers' compensation carrier for temporary total disability during the period the employee has returned to a modified-duty position shall be offset by an amount equal to the employee's gross income minus applicable taxes paid by the employer to the employee during the period of work in the modified-duty position.
- (16) The employer should use one of the two following compensation arrangements:
  - a. There will be no adjustment in the employee's normal compensation. The salary and benefits of the employee will remain the responsibility of the original employing department, including during any period of temporary placement external to the department.
  - b. In most cases there will not be an adjustment in the compensation of the employee that is placed in a modified-duty position. However, the employee placed in a modified-duty position will be paid a salary that is equivalent to the salary of other employees holding the same position. If that salary is less than their normal salary, then they will be paid at least what the maximum weekly benefit would be for their regular salary as defined by the Kentucky Workers' Compensation Act.
- (17) Once the employee has been approved to participate in the RTW Program, the executive authority must provide a return-to-work letter. This letter will include:
  - a. The position offered;
  - b. The location and duties of the position offered;
  - c. The wages and schedule of the position offered;
  - d. The duration of the temporary work assignment;
  - e. A statement that the employer is knowledgeable about and will abide by the limitations under which the treating physician has authorized the return to work; and
  - f. A statement acknowledging that the employee will or will not accept the modified duty and this must be returned to the employer.
- (18) An employee may choose to accept or refuse the return-to-work offer. Rejection of the job could result in suspension of income benefits under workers' compensation insurance. Any acknowledgment received by the employer that the employee has refused the return-to-work offer will be sent by the employer to the claims adjuster.
- (19) Employees do not waive any rights to workers' compensation benefits by participating in the RTW Program. Employees participating in the RTW Program will continue to be covered by the Workers' Compensation Act for reasonable and necessary medical expenses and disability benefits related to the injury or illness.

- (20) The maximum length of a return-to-work with modified-duty offer will be 90 calendar days. The duration of approved time will be based upon the information provided by the employee's evaluating treating physician.
- (21) An employee who is unable to return to their regularly assigned duties at the end of the modified-duty assignment and who remains with temporary restrictions which will prevent them from returning to their preinjury position will begin to receive temporary total disability benefits through the workers' compensation program. If the restrictions are permanent and will not allow the employee to return to their preinjury position, then the employee may be eligible to request a leave of absence pursuant to the employer policies or an accommodation pursuant to the Americans with Disabilities Act (ADA) policy addressed within Section 2 of this handbook. However, the employer can terminate the employee if leave of absence is considered an undue hardship on the employer and no other ADA accommodation can be made based on the employee's restrictions.
- (22) Employees may be required to attend an independent medical exam (IME) to either clarify the continued restrictions or find that they have reached maximum medical improvement (MMI), and permanent restrictions are assigned as determined by the evaluating physician.
- (22) Provided the employee has exhausted any entitlement under the Family and Medical Leave Act (FMLA), the department has the option to approve or deny the leave of absence request after considering the ADA. If leave without pay is denied and no accommodation can be made under the ADA, employment with the city will be terminated.

## Retirement Plan and Social Security

- (1) Employees who work in a regular full-time position must be enrolled in the Kentucky Retirement Systems/Kentucky Public Pension Authority (KPPA). City employees are covered under the County Employees Retirement System (CERS) portion of the plan. Regular part-time employees must also be covered if they average 100 or more hours of work per month over a calendar or fiscal year including employees who work a total of more than 100 hours per month in two or more positions with employers under the same retirement system.
- (2) The retirement plan is a qualified public defined benefit plan and was established under Section 401(a) of the Internal Revenue Code (IRC). A defined benefit plan pays benefits based upon a formula rather than on an account balance. The formula used to compute CERS benefits provides participating members with a guaranteed lifetime payment at retirement based on beginning participation date, the number of years of service, their average salary, and a multiplying factor.
- (3) Employees and the city contribute to the plan. The percentage of contribution may change annually and is based on hazardous and nonhazardous positions. The contribution amount is set by the Commonwealth of Kentucky. For more information about the KPPA, contact the city clerk, deputy city clerk, or the KPPA via their website, <https://kyret.ky.gov> or call **800.928.4646**.
- (4) Pursuant to KRS 61.592(1)(a), "hazardous position" for participating KERS employees as well as CERS employees means:
  - a. Any position whose principal duties involve active law enforcement including the positions of probation and parole officer and commonwealth detective, active fire suppression or prevention, or other positions including but not limited to pilots of the Transportation Cabinet and paramedics and emergency medical technicians, with



duties that require frequent exposure to a high degree of danger or peril and also require a high degree of physical conditioning.

- (5) The city participates in the federal social security program and will contribute a percentage of salary, to the extent required by law, to the Social Security Administration for each employee.

## Longevity Awards

- (1) In order to recognize the achievements and loyalty of its employees, it is the policy of the city to give Length of Service Awards to its employees. Length of Service Awards will be given to full-time employees as follows:

5 years	\$250
10 years	\$275
15 years	\$300
20 years	\$325
25 years	\$350

- (2) Length of Service Awards will be issued on their anniversary date each year and will be subject to all applicable taxes.
- (3) Employees should notify the city clerk or deputy city clerk one month before the anniversary date.
- (4) Service as a part-time employee is not considered in determining eligibility for these service awards.

## Public Service Loan Forgiveness

- (1) If an employee has federal direct loans, including direct consolidation loans, they may be eligible for Public Service Loan Forgiveness, also known as PSLF.
- (2) If an employee makes 120 qualifying monthly payments under a qualifying repayment plan while serving in the military or employed at a government or nonprofit entity, the employee may be eligible to get the balance of their loans forgiven.
- (3) For additional information, see the following link <https://studentaid.gov/manage-loans/forgiveness-cancellation/public-service>.

## Professional Memberships, Training, Licensing, and Certification

- (1) Certain positions of employment with the city require professional memberships, licensure, and certification. In general, the city will cover all costs of memberships, trainings, examinations, or renewal of licenses and certifications that directly relate to the employee's current position with the city.

- (2) Employees shall notify their department supervisor of any memberships, trainings, certifications, and licenses that may be covered under this policy by April 1 so that appropriate steps can be taken to include these costs in the annual departmental budget. An employee shall not expect the city to pay or reimburse the employee for the cost of any membership, training, examination, license, or certification unless it has been approved in advance by the department supervisor, the department commissioner, and included in the city budget.
- (3) An employee's department supervisor shall determine the relevancy of the membership, training, examination, license, or certification as it relates to the employee's current job functions or job functions that the employee is expected to undertake in the foreseeable future.
- (4) Employees may receive increases based on obtaining specific licensure, certification, or training for that department. Any certification or license that an employee receives must be provided to the supervisor for verification. Annually by April 1, employees will turn in an updated certificate and/or license to the supervisor and city hall to ensure annual verification. Failure to maintain a license and/or certification will result in a reduction in pay equal to the increase received as a result of receiving the license and/or certification.
- (5) Guidelines for police officers and firefighters are also contained within the Police Department Policy and Procedure Manual and Fire Department Policy and Procedure Manual.

## **Section 8 – Paid and Unpaid Leaves**

# Holidays

- (1) All full-time city employees shall receive eight hours of paid leave for the following holidays:
  - a. New Year's Day
  - b. Martin Luther King Day
  - c. President's Day
  - d. Good Friday
  - e. Memorial Day
  - f. Juneteenth
  - g. Independence Day
  - h. Labor Day
  - i. Columbus Day
  - j. Veterans Day
  - k. Thanksgiving Day
  - l. Day after Thanksgiving
  - m. Christmas Eve
  - n. Christmas Day
  - o. New Year's Eve
- (2) Unless otherwise designated by the city commission, paid holidays will be observed on the date of their actual occurrence. 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 40-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 (overtime pay) for the hours actually worked on that holiday. The employee must inform their supervisor of their choice prior to working the holiday.

# Vacation Leave

- (1) All employees occupying full-time regular positions shall be granted vacation leave at their current rate of pay. An employee's years of service will begin on their full-time hire date.
- (2) Employees hired prior to January 1, 2021, occupying regular full-time positions with the exception of firefighters working 24-hour shifts shall be entitled to vacation leave on the following schedule:

<u>January 1 of Each Year</u>	<u>Earned Vacation</u>
Beginning of employment through the first year	40 working hours
2-4 years	80 working hours
5-14 years	120 working hours
15-19 years	160 working hours
20-24 years	180 working hours
25 years and thereafter	200 working hours

Firefighters working 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>
Beginning of employment through the first 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 years and thereafter	208 working hours

- (3) Each pay period the employee's vacation leave account will be debited for vacation leave used by the employee during the preceding period.
- (4) 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 if the earned vacation time available is adequate to cover the request.
- (5) Employees are required to utilize vacation leave by December 31 of each year. Any unused vacation time will be forfeited and will not be rolled over.
- (6) Insofar as possible, vacation leave should be requested one month in advance. Vacation leave may be disapproved if the employees' services are required at the requested time.
- (7) Upon termination of employment from the city, employees will not be paid for any accrued but unused vacation leave.
- (8) When a former employee is reinstated, the reinstated employee shall be considered a new employee for vacation, sick leave, and other benefit purposes.
- (9) Vacation leave shall be taken in increments of not less than one hour except for firefighters. For firefighters, vacation must be taken in increments of 12 hours if taking off for less than a 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) All full-time employees except for firefighters shall receive paid sick leave in the amount of eight hours per month for each full month of service. Full-time firefighters shall receive 11.25 hours per month, sick leave credit for each month of service. This is based on firefighters working 2,920 hours per year, and regular employees working 2,080 per year beginning with the first day of employment. Regular full-time employees who work 2,080 hours per year are entitled to 135 hours sick leave per year. Part-time employees, temporary employees, and seasonal employees shall not be eligible for paid sick leave.
- (2) Sick leave time begins to accrue on the first day of full-time employment.
- (3) An employee may use sick leave for any one of the following reasons:
  - a. To avoid jeopardizing the health of other employees; or
  - b. Illness, disability, medical condition, or a medical or dental appointment of the employee or a member of the employee's immediate family necessitating the employee's presence. "Immediate family" shall mean the employee's spouse, child, mother, father, domestic partner, grandparents, grandchildren, brother, sister, spouses, domestic partners parents, or other permanent members of the employee's household. This shall also include similar step relations.
- (4) An employee using sick leave time shall notify their immediate supervisor as soon as possible of the need to use sick leave. Failure to notify within two hours of the beginning of the work shift may be cause for disallowing the leave. For periods of leave longer than one full day the employee shall notify their supervisor of each separate day that leave will be used unless prior arrangements have been made. For periods of three or more days, see the FMLA Policy within this section.
- (5) Absence for a part of a day that is chargeable to sick leave shall be charged proportionately in an amount not smaller than one hour.
- (6) Whenever an employee uses sick leave time, the employee shall submit an Absentee Request (HR Form 07) in accordance with Section 8 of this handbook. When possible, the employee shall submit the Absentee Request Form in advance of the leave. Otherwise, the employee shall submit the Absentee Request Form immediately upon return to work.
- (7) Notwithstanding the requirements for FMLA leave, a medical certification or physician's statement will generally not be required to return to work after the use of a sick day. However, an employee's department supervisor may require medical certification or a physician's statement when there is a reasonable basis to believe the Sick Leave Policy is being abused. If the employee's length of absence is two or more full workdays or for firefighters, one 24-hour shift, a medical certification or physician's statement is required.
- (8) 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.
- (9) 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 supervisor, be charged vacation leave credit.

- (10) An employee may carry over accumulated unused sick leave time to the next calendar year as follows:
- a. Employees and exempt firefighters in Tier 1 and Tier 2 of the KPPA and eligible for the County Employees Standard Unused Sick Leave Program, can accrue a maximum of 960 hours of accumulated unused sick leave. Any sick leave time accumulated above 960 hours will be lost. When an employee retires from the City of Harrodsburg, they can use any accrued unused sick leave up to 960 hours per paragraph (11) below.
  - b. Employees and exempt firefighters not in Tier 1 or Tier 2 of the KPPA and not eligible for the County Employees Standard Unused Sick Leave Program, can accrue a maximum of 480 hours accumulated unused sick leave. Any sick leave time accumulated above 480 hours will be lost. When an employee retires from the City of Harrodsburg, they will be paid any accrued unused sick leave up to 480 hours per paragraph (12) below.
  - c. Nonexempt firefighters in Tier 1 and Tier 2 of the KPPA and eligible for the County Employees Standard Unused Sick leave program, can accrue a maximum of 1,344 hours accumulated unused sick leave. Any sick leave time accumulated over 1,344 hours will be lost. When a firefighter retires from the City of Harrodsburg, they will be paid any accrued unused sick leave up to 1,344 hours per paragraph (12) below.
  - d. Nonexempt firefighters not in Tier 1 and Tier 2 of the KPPA and not eligible for the County Employees Standard Unused Sick Leave Program, can accrue a maximum of 672 hours accumulated unused sick leave. Any sick leave time accumulated above 672 hours will be lost. When an employee retires from the City of Harrodsburg, they will be paid any accrued unused sick leave up to 672 hours per paragraph (12) below.
- (11) No employee shall be compensated for any accumulated and unused sick leave time upon separation from employment. Only those employees that retire from the City of Harrodsburg will be able to utilize their sick time as provided for in the County Employees Standard Unused Sick Leave Program and as provided for in paragraph (12) below. Information regarding this program may be obtained by contacting the Kentucky Retirement Systems/Kentucky Public Pension Authority (KPPA) office. Any agency participating in the County Employees Retirement System (CERS) which has formally adopted a sick leave program that is universally administered to its employees may purchase service credit with the retirement system for up to the amount of accrued unused sick leave that the employee has at the time of retirement. This does not apply to any employee who begins participation in the KPPA after January 1, 2014.
- (12) Employees retiring from the City of Harrodsburg but not eligible for the County Employees Standard Unused Sick Leave Program will be compensated for accumulated sick leave as follows below.
- a. Payout of sick leave for employees that the city considers as retiring from city service is subject to the following limitations:
    1. Less than 15 years of service shall not be compensated for accrued but unused sick hours;
    2. At least 15 years of service but prior to 20 years of service may be paid for 50% of accrued but unused sick hours, up to a maximum of 240 hours; and
    3. At least 20 years of service may be paid for 100% of accrued but unused sick hours, up to a maximum of 480 hours.

- b. The applicable hourly rate for both exempt and nonexempt employees shall be calculated as provided in Section 6 of this handbook and subject to all required deductions.

## Sick Leave Donation

- (1) The purpose of this policy is to establish guidelines and procedures for the administration of the Sick Leave Donation Program. This program permits city employees to donate a portion of their accrued sick leave time for the use of other employees who are experiencing a medical emergency and are absent from work 10 consecutive days or more. A medical emergency is a medical condition of an employee or their family member(s) as described in the Sick Leave Policy that results in a prolonged absence from work and substantial loss of income due to the employee's exhaustion of all available paid leave. Use of donated sick leave time by another employee is permitted after the city clerk or deputy city clerk determines the receiving employee's eligibility.
- (2) Employees may donate accrued sick leave hours to coworkers who have experienced either their own medical emergency or to care for a family member as described in the Sick Leave Policy during a medical emergency or for the recovery from the birth of a child. Employees wishing to receive donated leave must have exhausted their own paid leave time. Family member is defined as an employee's spouse, child, mother, father, step relatives of the same relation, or other permanent members of the employee's household that have resided with the employee for not less than 30 days prior to the application for this program.
- (3) An employee wishing to donate sick leave hours to another employee must meet the following criteria:
  - a. The employee must maintain a minimum of 160 sick leave hours after the donation has been made.
  - b. Sick leave must be donated in increments of eight hours.
  - c. The employee must sign a statement of understanding the Sick Leave Donation - Donor (HR Form 09) regarding the sick leave donation and its effect on the employee's accrued sick leave.
- (4) An employee who meets the following criteria shall be eligible to receive donated sick leave hours after the first pay period in which the employee's accrued leave (sick leave, vacation leave, and any other form of accrued leave) balance is zero.
  - a. An employee may not solicit any other employee on their behalf to donate sick leave time.
  - b. An employee must be in a full-time position established by the city commission.
  - c. An employee must be off work due to a verifiable personal or family member's catastrophic illness or injury, not including workers' compensation.
  - d. An employee must provide medical certification of inability to work or certification of a serious illness of a family member.
  - e. The employee must sign a statement of understanding for the Sick Leave Donation Application Recipient (HR Form 08).



- f. Provided an employee meets or exceeds the above criteria, the employee may receive donated sick time from other city employees up to 300 hours per one year after the event occurs.
- (5) A receiving employee may use donated time at the same rate as the receiving employee is normally scheduled to work. For example, a 20-hour per week employee may not receive and be paid for more than 20 hours donated per week; an employee working 40 hours per week may not receive and be paid for more than 40 hours per week.
- (6) There will be no accrual of vacation or sick leave as a result of using donated sick leave hours.
- (7) An employee who has received donated sick leave time must return to work at the earliest possible date the employee is fit to work, regardless of the availability of sick leave donations. The city reserves the right to request an opinion from a medical professional of the city's choice to attest to the continued need to be absent from work.
- (8) The department supervisor shall process donations of sick leave time on the next pay period upon the receipt of authorization from the human resources officer ensuring that the hours donated will be transferred to the receiving employee's sick leave account.
- (9) An employee receiving sick leave donations will continue to receive all other benefits provided by the city in accordance with the city's policies and procedures.
- (10) Any pay received by the employee as a result of donated sick leave time will be subject to any usual deductions on incomes, e.g., federal and state taxes, retirement, etc.
- (11) Sick leave hours donated but unused shall be returned to the employees who donated the time.

## **Family and Medical Leave Act (FMLA)**

- (1) The city is subject to the Family and Medical Leave Act of 1993 (FMLA) and its amendments. To be eligible for FMLA leave the employee must meet the following criteria:
  - a. The employee must have been employed by the city for at least 12 months within the past seven years prior to the leave unless the break in service is due to an employee's fulfillment of military obligations; and
  - b. The employee must have worked at least 1,250 hours during the 12-month period immediately preceding FMLA leave. Any hours an employee would have worked but for time spent in the military reserves or National Guard shall be considered part of the 1,250 required hours.
- (2) Qualifying employees are eligible to take up to a maximum of 12 weeks of job-protected leave from the city in a 12-month period beginning from the date an employee's first FMLA leave begins. The leave may be paid, unpaid, or a combination of both depending upon the employee's leave balances. Employees must utilize all sick, vacation, and compensatory time based on the hours of their normal workweek before FMLA is unpaid. Employees receiving worker's comp benefits are eligible for unpaid FMLA. Employees receiving worker's comp benefits are not eligible to receive pay from the City of Harrodsburg. Please refer to the workers comp section of this policy. Employees are entitled to 12 weeks of leave for the following reasons:

- a. The birth or adoption of a child or placement of a child with the employee for foster care. The leave must be taken in the 12 months immediately following the birth, adoption, or placement of the child.
  - b. To care for the employee's spouse, child, or parent who has a serious health condition.
    1. For purposes of this FMLA section, spouse means a husband or wife. Husband or wife refers to the other person with whom an individual entered into marriage, as defined or recognized under state law in the state where the marriage was entered into or, in the case of a marriage entered into outside of the United States, if the marriage is valid in the place where it was entered into and the marriage could have been entered into in at least one state.
    2. This definition includes an individual in a same-sex or common law marriage that either:
      - (a) Was entered into in a state that recognizes such marriages; or
      - (b) If entered into outside of the United States is valid in the place where it was entered into and the marriage could have been entered into in at least one state.
  - c. A serious health condition which renders the employee unable to perform the functions of their position.
  - d. To allow an employee to deal with a "qualifying exigency" relating to the military deployment of a spouse, child, or parent. A qualifying exigency includes:
    1. Short-notice deployment;
    2. Military events and related activities;
    3. Child care and school activities;
    4. Care of military member's parent who is incapable of self-care;
    5. Financial and legal arrangements;
    6. Counseling;
    7. Rest and recuperation;
    8. Post-deployment activities; and
    9. Additional activities arising from military duty provided that the employer and employee agree that such leave shall qualify as an exigency and agree to the timing and duration of such leave.
  - e. Spouses, as defined by FMLA, who both work for the city and wish to take leave for the birth of a child and bonding with a newborn child, adoption, or placement of a child in foster care and bonding with the newly placed child, or to care for a parent with a serious health condition may only take a combined total of 12 weeks of leave.
- (3) Employees are entitled to 26 weeks of leave within a 12-month period to take care of an injured service member who is their nearest blood relative. This also extends to include family members of veterans who were members of the armed forces (including the National Guard or Reserves)

at any point in time within five years preceding the date on which the veteran undergoes medical treatment, recuperation, or therapy. For purposes of calculating leave entitlement, the 12-month period begins on the first day the eligible employee takes FMLA leave to care for the covered service member.

- a. The nearest blood relative is defined as a blood relative other than a covered service member's spouse, parent, son, or daughter, in the following order of priority:
    1. Blood relatives that have been granted legal custody of the covered service member by court decree or statutory provisions;
    2. Brothers and sisters;
    3. Grandparents;
    4. Aunts and uncles; then
    5. First cousins.
  - b. If the covered service member has specifically designated in writing another blood relative as their nearest blood relative for purposes of military caregiver leave under FMLA, then the designated individual shall be deemed to be the covered service member's nearest blood relative. When no such designation is made and there are multiple family members with the same level of relationship to the covered service member, all such family members shall be considered the service member's nearest blood relative.
  - c. Spouses, if each spouse is a parent, spouse, son, daughter, or next of kin of the service member, who both work for the city, and wish to take military caregiver leave may only take a combined total of 26 weeks of leave. When spouses take military caregiver leave as well as other FMLA leave in the same leave year each spouse is subject to the combined limitations for the reasons for leave listed above.
- (4) In any event where FMLA-qualifying leave is foreseeable by the employee, the employee shall provide their immediate supervisor with advance notice of the leave request by submitting a FMLA Leave Request (HR Form 10). In many instances, the need for FMLA leave may not be foreseeable by the employee. In those instances, the employee's immediate supervisor or department supervisor shall notify the city clerk or deputy city clerk of any circumstances that may qualify for FMLA so that the city may decide whether to designate the leave as FMLA-qualifying for the employee.
  - (5) The city shall require the following information to be submitted in conjunction with a request for FMLA leave or where the city has designated the leave as FMLA-qualifying:
    - a. A FMLA Medical Certification Form, which can be obtained from the Department of Labor website, <https://www.dol.gov/whd/fmla/2013rule/militaryForms.htm>, will be required if FMLA leave is for the employee's own serious health condition or to care for a family member's serious health condition. Failure to provide the requested medical certification in a timely manner may result in denial of leave until it is provided, including a reason for the delay. The city, at its expense, may require an examination by a second health care provider designated by the city if the city has a reasonable question regarding the medical certification provided by the employee. Depending on the circumstance of the request the following forms should be used:

1. An FMLA Certification of Health Care Provider of an Employee's Serious Health Condition Form (WH 380E) will be required to certify the employee's own serious health condition.
  2. An FMLA Certification of Health Care Provider for Family Member's Serious Health Condition Form (WH 380F) will be required to certify the employee's family member's serious health condition.
  3. An FMLA Certification of Qualifying Exigency for Military Family Form (WH 384) will be required if any of the qualifying exigencies stated in (2)(d)(1-8) apply.
  4. An FMLA Certification for Serious Injury or Illness of Covered Service Member (WH 385) will be required for care of an injured service member.
  5. An FMLA Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave (WH 385V) will be required if FMLA is for the care of a veteran who was a member of the armed forces at any point in time within the five years preceding the date the veteran undergoes medical treatment, recuperation, or therapy.
- b. The employee may be asked to provide a new medical certification through the submission of the FMLA Medical Update (HR Form 11):
1. When the employee requests an extension of leave and the original medical certification states that serious health condition of employee or employee's family member will last a specified period and that period has ended;
  2. When circumstances described in the original medical certification have changed significantly, e.g., change in duration or frequency of employee's absence;
  3. When the original medical certification states that serious health condition(s) of employee or employee's family member will last indefinitely, the employee may be asked to provide a new medical certification but no more frequently than every 30 days; and
  4. The employee must provide the new medical certification within 15 calendar days; however, the city may provide a reasonable amount of additional time if the employee has been unable to obtain certification despite employee's diligent, good faith efforts.
- c. The first time an employee requests leave because of a qualifying exigency arising out of the active-duty or call to active-duty status of a covered military member, the city will require the employee to provide a copy of the covered military member's active-duty orders or other military documentation which indicates the appropriate military status and the dates of the active-duty status.
- (6) Employees must use any accumulated sick, vacation, personal time, compensatory leave time, or other paid leave to the extent available during the FMLA leave period, unless such leave is covered under workers' compensation, in which case the employee may only use accumulated leave time for the purpose of satisfying any waiting period. Absences in excess of the employee's total accumulated leave will be treated as leave without pay except in situations where the employee is eligible for Sick Leave Donation time as provided under Section 8 of this handbook.

- (7) The city will require employees returning from FMLA leave for a qualifying event related to the employee's serious illness to provide an FMLA Medical Release to Return-to-Work (HR Form 12). Upon return from FMLA leave, the employee will be restored to their original or an equivalent position. If an employee fails to return at the end of FMLA leave, the employee will be considered to have voluntarily resigned their position with the city.
- (8) The city will maintain health care benefits for the employee while on FMLA leave but the employee is responsible for paying the normal monthly contribution for any portion of leave that is unpaid. If the employee elects not to return to work at the end of the leave period, the employee will be required to reimburse the city for the cost of premiums paid for maintaining coverage during the leave period. All other benefits cease to accrue during the unpaid portion of the leave.
- (9) It may be medically necessary for some employees to use intermittent FMLA leave. The city will work with employees to arrange a reduced work schedule or leave of absence in order to care for a family member's serious medical condition or their own serious medical condition. Employees must follow normal call-in procedures as found in the Sick Leave Policy in Section 8 of this handbook whenever using intermittent leave.
- (10) In addition, intermittent leave may be used for the birth or adoption of a child, or the placement of a child with the employee for foster care provided that the employee and the city agree upon a scheduled use of intermittent leave for this purpose and any leave is concluded within 12 months following the date of the birth, adoption, or placement.

## Pregnancy and Parental Leave

- (1) The city recognizes that employees may need to be absent from work to care for a newborn child or newly adopted or placement of a foster care child (referred to as parental leave in this policy), or due to a pregnancy-related condition (referred to as pregnancy leave in this policy). The city provides pregnancy and parental leaves of absence to all eligible employees in accordance with the Family and Medical Leave Act (FMLA), Pregnancy Discrimination Act (PDA), Americans with Disabilities Act (ADA), Kentucky Pregnant Workers Act (KPWA), and any other applicable law.
- (2) The city clerk or deputy city clerk is responsible for the administration of this policy. If you have any questions regarding this policy or if you have questions about pregnancy or parental leave that are not addressed in this policy, please contact the city clerk or deputy city clerk.
- (3) If you need to take parental leave for the birth of your child or to care for a newly adopted or foster care child, you should provide advance notice to your supervisor, the city clerk, or deputy city clerk. When possible, you should give at least 30 days' notice of your request for leave. If 30 days' notice is not possible because of medical necessity or for other reasons, you should give as much advance notice to the city as possible. Written notice is preferred, but not required.
- (4) If you are suffering from a pregnancy-related disability and require reasonable accommodation (which may include leave) for this purpose, please speak with your department supervisor, the city clerk, or deputy city clerk to discuss a reasonable accommodation. You shall be required to submit medical certification of your disability.
- (5) All employees are eligible for four weeks of paid parental leave. After the first four weeks of paid leave, employees are required to use any accrued and unused vacation and sick leave while

on pregnancy or parental leave. All time used will run concurrent with FMLA. For more information, see the city's FMLA Policy within Section 8 of this handbook.

- (6) During pregnancy and parental leave, all benefits provided under an employee benefit plan are governed by the terms and conditions of the applicable employee benefit plan documents in accordance with applicable law. For all other benefits, an employee on pregnancy or parental leave will receive the same rights and benefits as employees on a paid or unpaid leave of absence.
- (7) Your job will be held for you in accordance with applicable law while you are on pregnancy or parental leave.
- (8) If you are on pregnancy-related disability leave, when you are able to return to work you must submit a doctor's certification stating you are medically able to return to your normal duties. Your continued absence from work beyond your required disability leave period (as determined by your physician) and exhaustion of all other available leave may be deemed a voluntary abandonment of your job.
- (9) Nothing in this policy requires the city to reemploy individuals who are not eligible for reemployment rights under applicable law.
- (10) The city prohibits and will not tolerate discrimination or retaliation against any employee or applicant because of that person's pregnancy or parental leave. Specifically, no one will be denied employment, reemployment, promotion, any other benefit of employment, or be subjected to any adverse employment action based on that person's pregnancy or parental leave. In addition, no one will be disciplined, intimidated, or otherwise retaliated against because that person exercised rights under this policy or applicable law.
- (11) The city is committed to enforcing this policy against discrimination and retaliation. However, the effectiveness of our efforts depends on employees telling us about inappropriate workplace conduct. If employees feel that they or someone else may have been subjected to conduct that violates this policy, they should immediately report it. If employees do not report such conduct, the city may not become aware of a possible violation of this policy and may not be able to take appropriate corrective action.

## Adoption Leave

- (1) An employee adopting a child under the age of 10 shall be granted leave and benefits pursuant to the Parental Leave Policy in Section 8 of this handbook.
- (2) This leave is not available to an adoption by fictive kin, stepparent, stepsibling, blood relative, including a relative of a half-blood, first cousin, aunt, uncle, nephew, niece, and a person of a preceding generation as denoted by prefixes of grand, great, great-great, or foster parent who adopts a foster child who is already in their care.

# Critical Incident Leave for Police Officers and Firefighters

- (1) Up to two working days of critical incident leave is provided to police officers and firefighters immediately following an officer or firefighter who is involved in an event resulting in a stressful impact that is sufficient to overwhelm their usual coping strategies. These events may include:
  - a. Officer involved shooting;
  - b. Fire or vehicle crash resulting in serious injury or death;
  - c. Being a victim of a felonious assault;
  - d. Death of a partner or colleague;
  - e. Death of someone in custody of the officer or that has been in the medical care of a firefighter;
  - f. Death of a child especially if the officer or firefighter has a child similar in age; or
  - g. Incident involving multiple deaths.
- (2) A police officer or firefighter involved in a critical incident must make the request for leave from their supervisor, upon:
  - a. The completion of that peace officer's or firefighter's shift encompassing the critical incident; or
  - b. When all necessary administrative procedures relating to a critical incident have been completed.
- (3) The leave provided under this policy will be paid to the officer or firefighter at their normal rate of pay. Any leave beyond the two working days will be unpaid; however, any additional time needed by the officer or firefighter may be covered by any of their available accrued leave time.
- (4) Whenever the use of critical incident leave is necessary, the employee shall provide advance notice to their supervisor and the employee shall submit an Absentee Request Form in accordance with Section 8 of this handbook. When possible, the employee shall submit the Absentee Request Form in advance of the leave. Otherwise, the employee shall submit the Absentee Request Form immediately upon return to work.

## Bereavement Leave

- (1) All full-time city employees shall be eligible for paid bereavement leave in the event of death in the employee's immediate or extended family. Bereavement leave shall be granted on the following basis:



- a. An employee shall be authorized for up to three days of paid bereavement leave in the event of death in the employee's immediate family. For the purposes of this paragraph "immediate family" shall mean the employee's parents, spouse, domestic partner children (including in the case of a miscarriage at any term of pregnancy), grandparents, grandchildren, brother, sister, spouse's or domestic partner's parents, or anyone permanently residing with the employee. This shall also include similar step relations.
  - b. An employee shall be authorized for paid bereavement leave for up one day in the event of death of an extended family member of the employee. For purposes of this paragraph "extended family member" shall be limited to uncle, aunt, first cousin, niece, nephew, and spouse's immediate family, other than a spouse's or domestic partner's parent.
- (2) Whenever the use of bereavement leave is necessary, the employee shall provide advance notice to their immediate supervisor and the employee shall submit an Absentee Request (HR Form 07) in accordance with Section 8 of this handbook. When possible, the employee shall submit the Absentee Request Form in advance of the leave. Otherwise, the employee shall submit the Absentee Request Form immediately upon return to work.

## Unpaid Leave of Absence

- (1) Upon exhaustion of all paid leave time, any request for unpaid leave shall be submitted to the employee's department supervisor. The department supervisor, in consultation with the mayor, city attorney, and the department commissioner, will decide whether to grant the unpaid leave request and other terms of the leave depending upon the reasons for the requested leave and the needs of the department and the city.
- (2) If granted an unpaid leave of absence an employee will not be compensated and will not receive any other employee benefits provided by the city except as required by FMLA.
- (3) If an employee is out on FMLA the city will continue to pay its share of any group health care premiums paid by the city prior to the FMLA leave, while any share of the group health care premiums which had been paid by the employee prior to FMLA leave, must continue to be paid by the employee during the FMLA leave period. If any employee required portion of the group health insurance premium becomes more than 30 days late while on unpaid FMLA leave, the city may terminate coverage retroactively. For continuation of all other employee paid optional benefits, such as life insurance, the employee will be subject to the terms and conditions of the specific plan, and the employee must prepay any applicable contribution or premium during the period of the absence in order to maintain those benefits.
- (4) For any unpaid leave that continues 30 days or longer and does not qualify under FMLA, the employee will not receive any employee benefits provided by the city. As such, the employee must make an election as to COBRA coverage for group health care for the employee as well as any qualified dependents. In addition, the employee will be subject to the terms and conditions of the specific plan to continue any optional benefits upon prepayment by the employee of the applicable contribution or premium during the period of the absence. Any failure by the employee to prepay any optional benefits may result in termination of the benefit.
- (5) Employees on unpaid leave will not accrue any vacation or sick leave time during the unpaid absence except as provided by this policy.



# **Jury Duty and Court-Ordered Appearances**

- (1) The city encourages employees to fulfill their obligation as citizens when called to serve jury duty or to comply with a court or administrative subpoena. An employee that is required to attend jury duty or comply with a court or administrative subpoena during their regular working hours at the city shall be paid their full salary for the period of such service. An employee involved in litigation or court proceedings as a plaintiff or petitioner and who is not appearing before the court because of a duly issued subpoena shall not be eligible for the paid leave provided under the provisions of this policy but may be permitted to use annual or compensatory leave time for such absences as provided in Section 8 of this handbook.
- (2) The employee must provide a copy of the summons or subpoena to their immediate supervisor as soon as possible after receiving such notice.
- (3) The employee shall submit an Absentee Request Form 07 in accordance with Section 8 of this handbook showing the dates and times out of the office necessitated by the employee's service required by the court.
- (4) Any employee excused by the court during their normal working hours shall contact their immediate supervisor to determine if they will be required to work the remainder of their normal work schedule.

## **Voting Leave**

- (1) The city encourages its employees to vote on Election Day. To facilitate efficient scheduling and management of the office workload, an employee shall request voting leave from the employee's supervisor at least one day in advance of the election date, or one day in advance of the date on which the employee appears before the county clerk to request an application for or to execute an absentee ballot.
- (2) The supervisor shall grant a reasonable period of voting leave for an employee who is qualified to vote and who has requested voting leave in accordance with this policy. The city will not compensate the employee for the leave. The supervisor shall specify the hours during which the employee may be absent.
- (3) Prior to using voting leave the employee shall submit an Absentee Request Form in accordance with Section 8 of this handbook showing the times the employee has been approved to be out of the office for voting leave.
- (4) An employee who requests and takes voting leave, but who fails to vote without an acceptable reason, shall be subject to disciplinary action.

## **Military Leave**

- (1) The city will comply with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) and the provisions of KRS 61.373 through 61.377 and KRS 61.394. USERRA grants military leave for employees, and in most cases, reinstatement rights regardless of whether the service is voluntary or involuntary.

- (2) As the laws change or as interpretations of the laws change, military leave benefits for city employees may change accordingly. No attempt is made by this policy to cover all possible situations and circumstances that may arise when an employee is ordered to active duty. Therefore, as military leave situations arise, an employee should consult with their immediate supervisor, the city clerk, or deputy city clerk, for details regarding their military leave rights as a city employee.
- (3) Unless precluded by military necessity, an employee shall provide written notice to their immediate supervisor as soon as possible regarding the need for military leave.
- (4) In any one federal fiscal year (October 1-September 30), all full-time and part-time employees involved in military service for the United States or the Commonwealth of Kentucky are eligible, upon request of the employee, to be paid their normal wages for a maximum of 21 calendar days while on military leave. Employees will only be paid based on the days they would have been scheduled to work if not for military leave. Any unused military leave in a federal fiscal year shall be carried over to the next year. Any unused military leave shall expire two years after it has accrued.
- (5) An employee shall be entitled to military leave without loss of time, pay, regular leave, impairment of efficiency rating, or any other employment rights or benefits to which the employee is entitled, while:
  - a. In the performance of duty or training in the service of a state or of the United States under competent orders as specified in this section.
  - b. Physically disabled as a result of an injury, illness, or disease incurred or aggravated in the line of duty while performing active-duty or inactive-duty training.
  - c. Entitled to incapacitation pay pursuant to 37 U.S.C. sec. 204.
  - d. Leave pursuant to paragraphs (b) and (c) of paragraph (5) shall not exceed six months unless approved by the employee's appointing authority.
- (6) Benefits in paragraph (5) include employer contributions that would have been paid into CERS if the employee had not been on military leave. Employer-provided CERS contributions will only be paid to KPPA if the employee returns to work with the city upon an honorable discharge from the military.
- (7) Employees called to active duty should fill out the Active-Duty Military Leave Notification (HR Form 21) as soon as practicable.

## Absentee Request Form

- (1) The Absentee Request (HR Form 07) is available to employees from the city clerk and the deputy city clerk and in the appendix to this handbook. When this form is submitted by the employee the form will be sent directly to the employee's immediate supervisor who will be responsible for exercising managerial discretion in deciding whether to approve or deny the leave request.
- (2) Employees are required to submit an Absentee Request Form whenever any type of leave is requested or taken as outlined in the policies contained in this handbook. The employee is required to provide the date and time of leave. Employees are permitted to use any type of leave time of one-hour minimum with the exception of the fire department's vacation time.

Whenever possible employees are required to submit an Absentee Request Form before leave is taken. If it is impossible or impractical for the employee to submit an Absentee Request Form prior to taking leave, the employee shall submit the form immediately upon return to work. Any employee who takes leave time and fails to submit an Absentee Request Form shall be subject to disciplinary action.

## **Section 9 – Appendices and HR Forms**

## **APPENDIX A – SOCIAL SECURITY NUMBERS AND PRIVACY PROTECTION**

- (1) This policy is adopted in accordance with KRS 61.931- 61.934 and is applicable to all personal confidential information received and retained by the city regarding employment and within the regular course of city business.
- (2) The city will take measures reasonably necessary to ensure the confidentiality of social security numbers collected in the ordinary course of the city's business. Neither the city nor any of its employees will unlawfully disclose the social security numbers or other confidential personal information obtained during the ordinary course of business.
- (3) Nondigital media containing personal information shall be physically controlled and securely stored in a manner meant to ensure that the media cannot be accessed by unauthorized individuals. This may require storing media in locked containers such as cabinets, drawers, rooms, or similar locations if unauthorized individuals have unescorted access to areas where personal information is stored. If personal information is stored in an electronic format, it shall be protected from access by unauthorized individuals. Such information must be protected by software that prevents unauthorized access. If personal information is transmitted via email or other electronic means, it must be sent using appropriate encryption mechanisms.
- (4) The city shall designate a point of contact (POC). The POC shall serve the following functions:
  - a. Maintain the city's adopted Information Technology Acceptable Use Policy and be familiar with its requirements.
  - b. Ensure the city's employees and others with access to personal information are aware of and understand the Information Technology Acceptable Use Policy.
  - c. Serve as contact for inquiries from other agencies regarding its Information Technology Acceptable Use Policy and any incidents.
  - d. Be responsible for ensuring compliance with the Information Technology Acceptable Use Policy.
  - e. Be responsible for responding to any incidents.
- (5) Only authorized individuals are permitted access to media containing personal information. In addition to controlling physical access, user authentication should provide audit access information. Any access must comply with applicable regulatory requirements.
- (6) The city may use a social security number to perform an administrative duty related to employment, e.g., to verify the identity of an individual; detect or prevent identity theft; investigate a credit, criminal, or driving history; enforce legal rights or obligations; or administer insurance or benefits programs.
- (7) Security software used to protect personal information must provide user identification, authentication, data access controls, integrity, and audit controls.
- (8) Security software should be adequately tested to confirm functionality and to ensure that it is minimally disruptive to all associated operating systems, communications, applications, and

other associated software systems. Contractual provisions must also ensure that the supplier's software, by design or configuration, will not introduce any security exposures.

- (9) The level of protection afforded by security software should be commensurate with the sensitivity of the data. The level of protection along with the methods to implement that protection should be addressed before any personal information is stored on a device.
- (10) Systems, networks, and application software used to process personal information must adhere to the highest level of protection reasonably practical. The city will use Intrusion Detection and Prevention software approved by the Commonwealth Office of Technology (COT). A list of approved software is available on the COT website, <http://technology.ky.gov/Governance/Pages/KITS.aspx>, or the software must provide comparable or superior protection.
- (11) Information stored on digital media shall be encrypted in accordance with contemporary standards.
- (12) This policy prohibits the unnecessary placement (download or input) of personal information on portable computing devices. However, users who during city business must place personal information on portable computing devices must be made aware of the risks involved and impact to the affected person/entities in the event of actual or suspected loss or disclosure of personal information. If personal information is placed on a portable computing device, reasonable efforts must be taken including physical controls and encryption to protect the information from unauthorized access. Additionally, each person using the portable computing device must sign a form approved by the city indicating acceptance of the information and acknowledging their understanding of the responsibility to protect the information. In the event the portable computing device is lost or stolen, the city should be able to accurately recreate the personal information and must be able to provide notification to all affected persons/entities.
- (13) When it is determined that personal information must be placed on a portable computing device, every effort should be taken to minimize the amount of information required. If possible, information should be abbreviated to limit exposure, e.g., last four digits of the social security number.
- (14) The city will secure and when applicable, appropriately dispose of nondigital media. Nondigital media containing personal information must be properly stored and secured from view by unauthorized persons.
- (15) Secure measures must be employed by the city and all permissive users to safeguard personal information contained on all city technology resources.
- (16) Cities shall ensure that all authorized personnel are familiar with and comply with this policy. The city shall ensure that only authorized personnel may hold and have access to personal information.
- (17) Threats to the security of personal information arise in many ways. The city will try to be aware of the different types of threats and to enact reasonable measures to protect against each. Attacks on personal information may arise from:
  - a. External/Removable Media — An attack executed from removable media, e.g., flash drive, CD, or a peripheral device.
  - b. Attrition — An attack that employs brute force methods to compromise, degrade, or destroy systems, networks, or services.

- c. Web — An attack executed from a website or web-based application.
  - d. Email — An attack executed via an email message or attachment.
  - e. Improper Usage — Any incident resulting from violation of an organization's acceptable usage policies by an authorized user, excluding the above categories.
  - f. Loss or Theft of Equipment — The loss or theft of a computing device or media used by the organization, such as a laptop or smartphone.
- (18) Whether in digital or nondigital format, the city will retain and keep secure all personal and confidential information as set out in the Kentucky Department of Libraries and Archives Record Retention Schedule. The city will physically destroy documents that contain personal confidential information, including social security numbers, by shredding or other secure fashion. Personal confidential information, including social security numbers, stored in a computer database which needs to be removed will be deleted from all programs and processes pursuant to techniques and standards commonly used for such purposes. The methods set forth below are listed in priority order with the most highly recommended safeguard listed first. One of the following safeguards must be implemented:
- a. Hire a document disposal contractor to dispose of the material. The contractor should be certified by a recognized trade association and should use disk sanitizing software and/or equipment approved by the United States Department of Defense. The city will review and evaluate the disposal company's information security policies and procedures. The city will review an independent audit of a disposal company's operations and/or its compliance with nationally recognized standards.
  - b. Secure and utilize shredding equipment that performs crosscut or confetti patterns.
  - c. Secure and utilize disk sanitizing or erasing software or equipment approved by the United States Department of Defense.
  - d. Modify the information to make it unreadable, unusable, or indecipherable through any means.
- (19) The city must disclose a security breach in which personal information is disclosed to or obtained by an unauthorized person. Notification of the incident must be made in the most prompt and expedient manner after the incident has been discovered. Within 35 days, a letter notifying affected individuals of actual or suspected loss or disclosure of personal information must be sent by the city describing the types of information lost and recommended actions to be taken to mitigate the potential misuse of their information.
- (20) When the city identifies a security breach in which personal information has been disclosed to or obtained by an unauthorized person, within three business days the city shall notify the Kentucky State Police, the Auditor of Public Accounts, the Attorney General and the Commissioner of the Department for Local Government and complete Form COT-F012. The city shall document the following:
- a. Preliminary reporting and description of the incident;
  - b. Response including evidence gathered;
  - c. Final assessment and corrective action taken; and
  - d. Final reporting.

- (21) Incident response procedures can be a reaction to security activities such as:
- a. Unauthorized access to personal information, data, or resources;
  - b. Denial of service attacks;
  - c. Actual or anticipated widespread malware infections;
  - d. Data breaches;
  - e. Loss/theft of equipment;
  - f. Significant disruption of services; and
  - g. Significant level of unauthorized scanning activity to or from hosts on the network.
- (22) The city shall make reasonable efforts to investigate any security breaches in which personal information is disclosed to or obtained by an unauthorized person and shall take appropriate corrective action.
- (23) The city must comply with all federal and state laws and policies for information disclosure to media or the public. In some circumstances, communication about an incident is necessary such as contacting law enforcement. The city should use discretion in disclosing information about an incident. Such information includes network information, type of incident, specific infection type (if applicable), number of assets affected, specific detail about applications affected, applications used to employ corrective action/investigate, etc. The city may proactively share relevant incident indicator information with peers to improve detection and analysis of incidents. Within the parameters of the law, minimal disclosure regarding incidents is preferred to prevent unauthorized persons from acquiring sensitive information regarding the incident, security protocols, and similar matters in an effort to avoid additional disruption and financial loss.
- (24) Any employee of the city who knowingly violates the provisions of this policy will be subject to the city's disciplinary policy.



# APPENDIX B – EMAIL AND COMMUNICATIONS RETENTION

## SECTION 1. INTRODUCTION

This document defines acceptable management and storage of email and other electronic messages in the city as part of the city's records management program. All references to email in this policy include all electronic communications. This policy and procedure for email applies to email use within the city, and does not supersede any state or federal laws, or any other city policies regarding confidentiality, information dissemination, or standards of conduct.

Internet and email resources, services, and accounts are the property of the city and are to be used for business purposes. Management has the right and the ability to view employees' email. City email is recorded and stored, and is the property of the city, subject to the requirements of the Open Records Act (KRS 61.870 to 61.884.)

## SECTION 2. POLICY

The city provides for efficient, economical, and effective management of electronic mail records in accordance with Kentucky Revised Statutes (KRS) chapter 171, sections 410-740. KRS 171.680 requires the city commission to administer a program for managing records created, received, retained, used, or disposed of by the agency.

This policy for managing electronic mail is consistent with legal requirements and efficient recordkeeping standards from the State Archives and Records Commission, the Kentucky Department for Libraries and Archives, and the Commonwealth Office of Technology.

This policy applies to all electronic mail messages created, received, retained, used, or disposed of using the city's electronic mail system regardless of how the system is accessed. Mobile computing devices, e.g., Blackberries and other Personal Digital Assistants (PDAs) or smart phones, allow for remote access to the city's email system and should be treated just like the system in your office or workstation.

## SECTION 3. RETENTION REQUIREMENTS

The General Schedule for State Agencies lists the record series that are created and the retention period authorized by the State Archives and Records Commission for each series. All email sent or received by an agency is considered a public record. The content and function of an email message determine its retention period. All email messages must be retained or disposed of according to the Record Retention Schedule for Local Governments and/or State Government.

### ***From General Schedule for State Agencies, Electronic and Related-Records Series E0059, Electronic Messages***

This is any communication using an electronic messaging system.

**Retention:** Electronic messaging systems are a form of communication. The messages found in these systems can be any type of record. Identify what type of record the message is and follow the appropriate retention schedule.

#### **Examples of Electronic Messages include:**

- Email.
- Text messages (more difficult to store than email).
- Voicemail (more difficult to store than email).
- Fax messages.

Most email, but not all (see *Guidelines for Managing Email in KY Government* - <http://kdla.ky.gov/records/Documents/EmailGuidelines.PDF>), is considered correspondence and may be part of one of several categories of correspondence, described on the General Schedule for State Agencies.

**The categories of correspondence are:**

**From *General Schedule for State Agencies, Miscellaneous Records Series M0050, Nonbusiness-Related Correspondence***

This is correspondence that is not related to agency business.

**Retention:** Destroy immediately.

**Examples of Nonbusiness-Related Correspondence include:**

- Unsolicited messages, e.g., sales pitches
- Nonbusiness-related messages from coworkers, e.g., news articles, nonbusiness-related announcements from coworkers
- Junk mail or spam
- Personal messages

**NOTE:** Nonbusiness-Related Correspondence is a public record as defined by the Open Records Act (KRS 61.870-61.884) and if retained can be subject to disclosure.

**From *General Schedule for State Agencies, Miscellaneous Records Series M0002, Routine Correspondence***

This is routine correspondence that is central or essential to your work but is of a non-policy nature and deals only with the day-to-day general operations of an agency.

**Retention:** Retain no longer than two years. Routine correspondence that is part of a larger file takes on the retention period of that file.

**Examples of Routine Correspondence include:**

- Assistance to citizens.
- Explanations of policy.
- Requests for information.
- Business-related discussions within the city.

**NOTE:** Since the retention for series M0002 Routine Correspondence is “*retain no longer than two years*,” a uniform retention period within the two-year window for routine correspondence needs to be established for all of the units covered by this policy. This could be done on the cabinet, department, or division level depending on where this policy is adopted. All employees in an agency, as defined in this policy, should be retaining routine correspondence for the same amount of time and following agency filing procedures. (See Section 5 for further guidance.)

**From *General Schedule for State Agencies, Miscellaneous Records Series M0001, Official Correspondence***

*This is correspondence that documents the major activities, organizational functions, programs of the city, and the important events in its history.*

**Retention:** Permanent.

**Examples of Official Correspondence include:**

- Policy memoranda (those dictating or establishing policy)
- Directives
- Event and other announcements
- Official notifications of city decisions or actions
- Summaries of an agency's cumulative experience or history (minutes)

#### **SECTION 4. USER RESPONSIBILITIES**

It is the responsibility of the user of the email system with guidance and training from the city to manage email messages according to the Local Government's Records Retention Schedule and the General Schedule for State Agencies.

It is the responsibility of the sender and receiver of email messages within the city's email system to retain the messages for the approved retention period. (See below Diagrams 1.1 and 1.2.)

Because email messages can be forwarded and routed to multiple addresses, copies of the names of sender, recipient, date/time of the message, as well as any attachments must be retained with the message. Except for listserv mailing services, distribution lists must be able to identify the sender and recipient of the message.

The use of the administrative settings to control management of email messages, e.g., the rules, filters, and the Auto Archive features in Outlook/Exchange as well as other server level automated classification and management systems, may automate and assist employees' classification and storage of messages. If such settings or software are used by the city, employees should be adequately trained and informed.

See "Storage of Email Messages Using Outlook" on the KDLA website.

(<http://kdla.ky.gov/records/Documents/Storage%20of%20email-v.2-10-17-06.PDF>).

#### **SECTION 5. MAINTENANCE OF ELECTRONIC MAIL**

Records created using an email system may be saved for their approved retention period by one of the following:

- (1) Place in folders and save in a user account on a network drive.
- (2) Transfer to an automated records management software application. Print message and file in appropriate hard copy file. Delete the electronic copy.
- (3) Print message and file in appropriate hard copy file. Delete the electronic copy.

#### **SECTION 6. DISPOSITION OF ELECTRONIC MAIL**

The legal retention and disposition of electronic mail messages is subject to the same requirements as any other record. This usually requires internal city approval and the completion and submission of a records destruction certificate. (<http://kdla.ky.gov/records/recmgmtguidance/Pages/recdestruction.aspx>).

Due to the volume of email and the frequency of deletion, completing a records destruction certificate for email records is not practical. The city will establish and implement procedures to address the

disposition of electronic mail records in accordance with city business practice and following records retention schedules approved by the State Archives and Records Commission.

“It is the official policy of the city that all email messages found to be classified as routine correspondence will be deleted after 90 days in accordance with the General Schedule for State Agencies or the Local Government Record Retention Schedule.”

## **SECTION 7. DEFINITIONS**

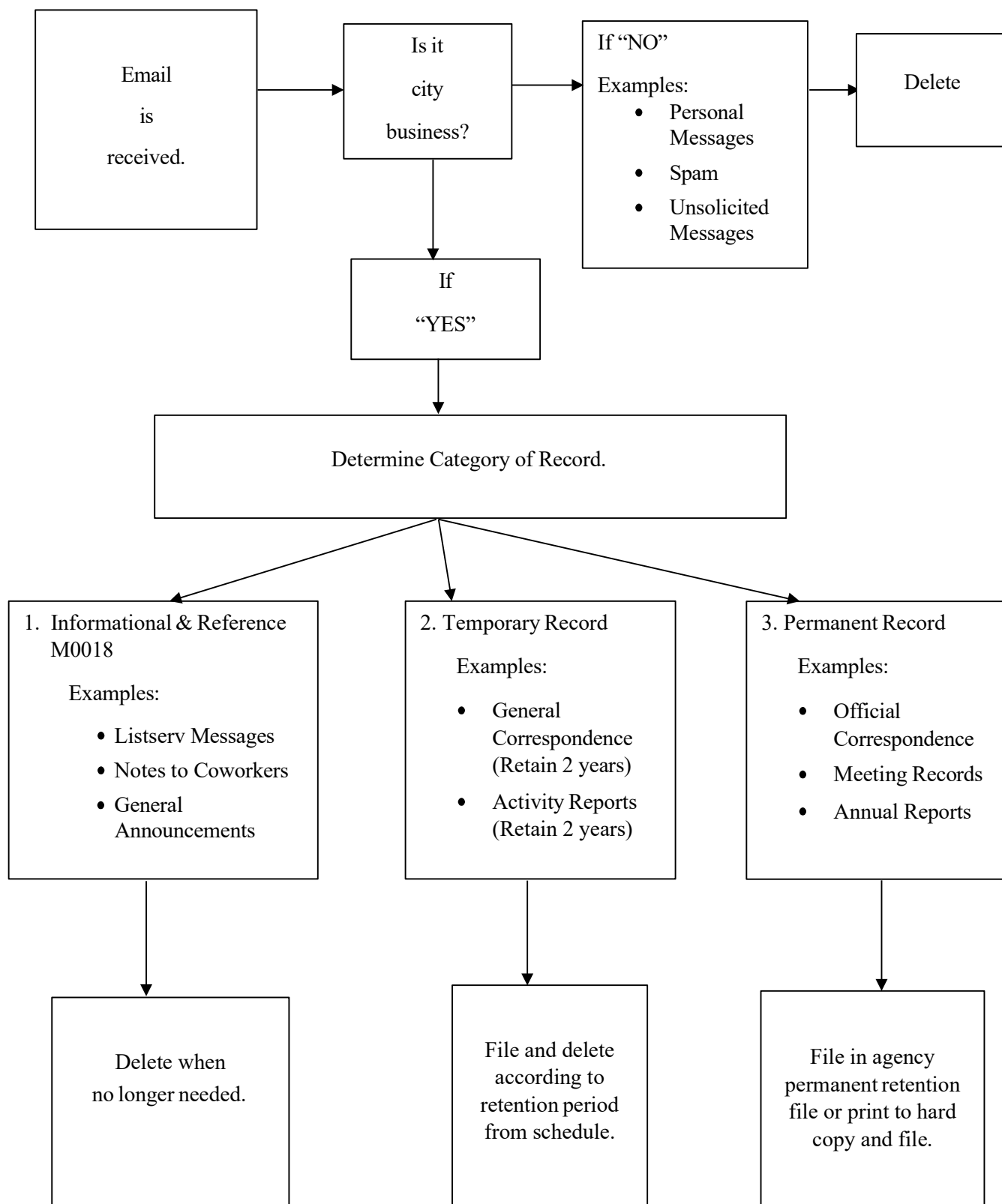
- (1) Agency (public) – Every state or local office, state department, division, bureau, board, commission, and authority; every legislative board, commission, committee, and officer; every county and city governing body, council, school district board, special district board, municipal corporation, and any board, department, commission, committee, subcommittee, ad hoc committee, council or agency thereof; and any other body which is created by state or local authority and which derives at least 25% of its funds from state or local authority. (See KRS 171.410(4)).
- (2) Electronic – Relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities. (See KRS 369.102(1)).
- (3) Email messages – Any communication supported by email systems internally, between other state, local, and federal agencies, and with constituents, voters, vendors, clients, citizens, and others. This definition applies equally to the contents of the communication, the transactional information associated with each message, and any attachments to the body of the message.
- (4) Email systems – Applications that enable users to compose, transmit, receive, and manage text and/or graphic email messages and images across LAN and WAN networks and through gateways connecting the latter with the internet. The approved product for state agencies is Microsoft Outlook/Exchange.
- (5) Electronic mail receipt data – Information in electronic mail systems regarding the date and time of receipt of a message, and/or acknowledgment of receipt or access by addressee(s).
- (6) Electronic media – Media capable of being read by a computer including computer hard disks, magnetic tapes, optical disks, or similar media.
- (7) Electronic record – A record created, generated, sent, communicated, received, or stored by electronic means. (See KRS 369.102(7)).
- (8) Electronic records system – Any information system that produces, manipulates, and stores public records by using a computer.
- (9) Employees (for the purposes of this policy only) – All users of city email systems, including employees, contractors, consultants, temporary, volunteers, and other workers within city government.
- (10) Mailing list service – An electronic mailing list hosting service, e.g., Listserv, used for discussions and announcements within a specified group of individuals. Subscribers to the service participate by sending information to and receiving information from the list using electronic mail messages.
- (11) Public record or Record – All books, papers, maps, photographs, cards, tapes, disks, diskettes, recordings, and other documentary materials, regardless of physical form or characteristics, which are prepared, owned, used, in the possession of or retained by a public agency. "Public record" will not include any records owned by a private person or corporation that are not related to

functions, activities, programs, or operations funded by state or local authority. (See KRS 171.410 (1)).

- (12) Records officer – Public agency employee who represents their unit of government in its records management relations with the State Archives and Records Commission and the Kentucky Department for Libraries and Archives as defined in 725 KAR 1:010.
- (13) Transactional information – Information about the email message that can include name of the sender and all recipients, date, and time the message was created and sent, host application that generated the message, and all of the systems and computers the message was routed through. Some or all of this transactional information may or may not be a visible part of the message. The federal courts have ruled that this information is a vital part of the message itself and is an important consideration when storing email messages.

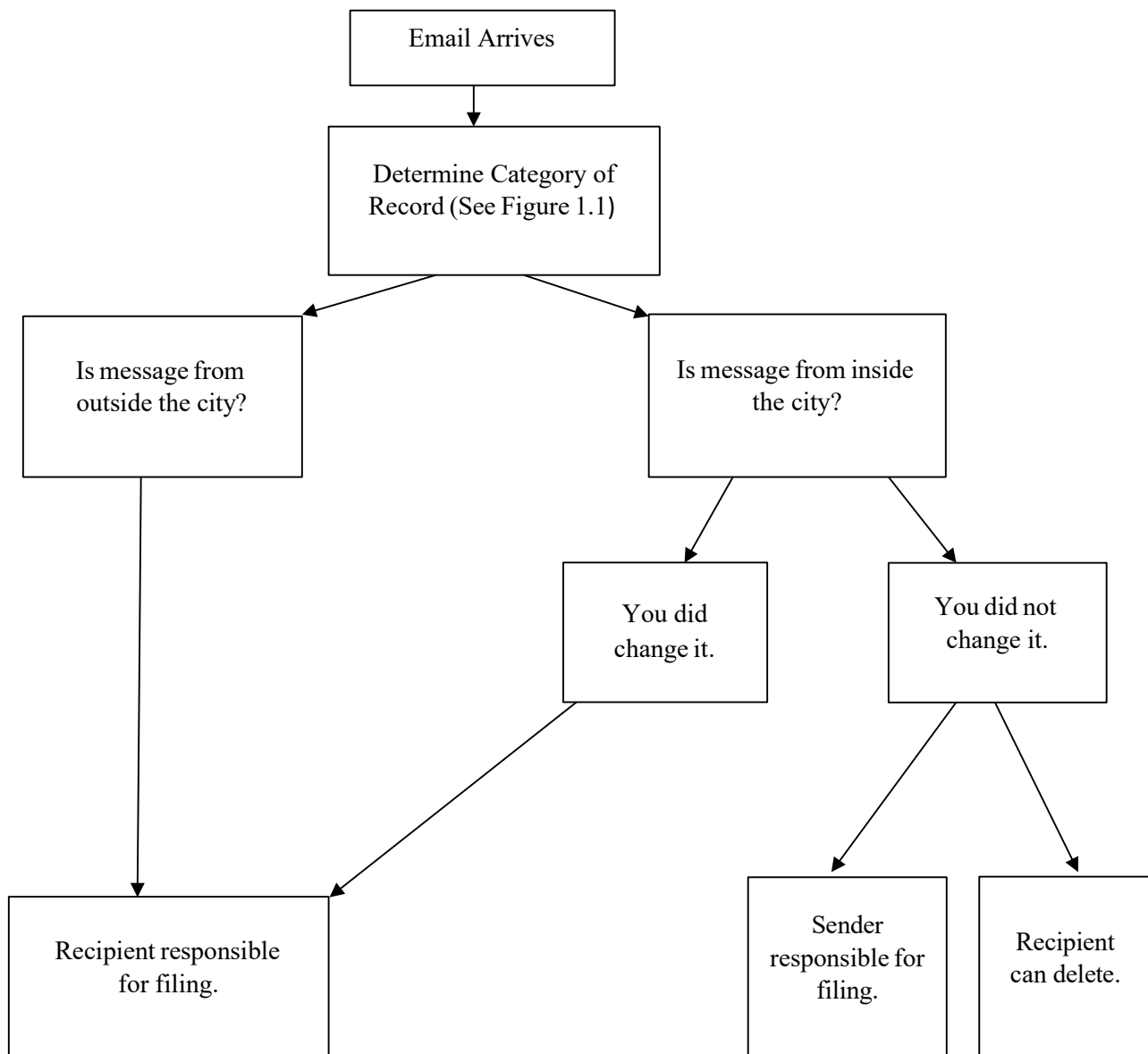
(From *Guidelines for Managing Email in State Government*.)

**Figure 1.1 Decision Sequence for Determining Email Retention**



## Figure 1.2 Determining Responsibility for Retaining Email Messages

Because email messages can be forwarded and routed to multiple addresses, copies of the messages may exist in many areas of the agency. In most cases, the author, or originator, of the email message is responsible for maintaining the “record” copy. However, in cases in which the recipient has altered the message (made changes, added attachments, etc.) or when the message is coming from outside the agency and therefore not documented anywhere within the agency, the recipient is the one responsible for retaining the message.



## APPENDIX C – CUSTOMER SERVICE PRINCIPLES

The purpose of these principles is to establish guidelines and expectations for city employees when providing customer service to city residents, the business community, and coworkers.

This policy discusses communication techniques to use when interacting with customers. It also sets forth standards for the time it should take an employee to respond to a customer's request for information or service. Telephone and email communication are important means with which to provide customer service. As such, this policy also includes a discussion regarding proper etiquette for these types of communication.

Providing effective customer service can often be difficult and challenging. Customers can oftentimes be impatient, frustrated, or angry. This policy offers tips on how to best communicate with customers in these situations, as well as suggestions for dealing with the associated personal stress.

Working for city government offers a unique opportunity to positively impact the quality of life for city residents and businesses. Every interaction an employee has with a customer is an opportunity to provide comprehensive and timely customer service. Consistently applying effective customer service techniques while adhering to established performance standards will improve the quality and effectiveness of the city's overall customer service program.

### General - External and Internal Customers

There are both external and internal customers. External customers include anyone who comes to or calls city offices; all city residents and businesspersons; and visitors who use city businesses, city services, or attend city events. Internal customers include the elected officials and fellow city employees and who are affected by the service you provide.

City employees are expected to treat every customer, whether external or internal, with courtesy and respect. In dealing with external customers, city employees are expected to be consistent in their application of city rules and requirements. In matters concerning fellow employees, city employees are expected to maintain a consistently high standard of conduct and support one another with timely and accurate communication. This will help city staff provide better service to our external customers and avoid duplication of efforts.

### Customer Expectations and Sources of Frustration

To best serve customers, it is helpful to understand their expectations and to be aware of common causes of customer frustration. A customer will generally expect the following basic needs to be met: *to be understood, to feel welcome, to feel important, and to feel comfortable.*

Common causes for customer frustrations include having unmet expectations, being upset at someone or something, feeling that no one seems to listen or care, believing that services have not been delivered as expected, broken promises, being treated rudely, inconsistent, or inaccurate information from city employees, and unfamiliarity with city procedures/ordinances.

With the above in mind, customers should always be taken seriously, treated with respect, given necessary and correct information, and able to speak to someone who will assist in addressing their concern.

### Communication Techniques

1. Communication tips to promote effective customer communication:
  - Listen actively by maintaining eye contact.



- Use the person's name in the conversation, as appropriate.
  - Take notes.
  - Hear the entire message.
  - Use a pleasant tone of voice when speaking and smile if appropriate (note: smiling when a customer is upset can give off a feeling to the customer that the employee thinks the situation is a joke).
  - Paraphrase or clarify the customer's message.
  - Avoid making snap judgments.
  - Give appropriate feedback.
  - Avoid using negative phrases such as: "You have to," "You can't," "You must," and "You need to." These words may instantly create a confrontational situation between people. Whenever possible, try using the following phrases instead: *"I'm going to ask you to do this"* or *"I can help you with that if you consider doing this"*.
2. Voice Characteristics that can assist in ensuring effective communication when speaking to customers:
- Volume – Maintain an adequate voice volume. If you speak too softly, the customer will have to strain to hear you or may not be able to hear you at all. Questions such as "What did you say?" or "Could you repeat that?" are indications that you are speaking too softly. In addition, it is important not to speak loudly. Speaking in a loud voice may make the customer feel threatened and uncomfortable.
  - Speaking rate – Speak at a constant rate. Speaking too slow or too fast may make it difficult for the customer to concentrate on what you are saying.
  - Pausing – Pausing allows you to place emphasis on a particular point, take a breath, or collect your thoughts. However, pausing too long or too often can become annoying.
  - Inflection – Inflection is a change in volume, rate and/or pitch to give particular emphasis to something said. Inflection varies among speakers. Therefore, it is best to speak in a natural voice. While speaking in a monotone voice should be avoided, an overly dramatic presentation is equally inappropriate.
  - Type of voice – Your attitude and manner of speaking express to the customer a particular point of view, meaning, or feeling. Be positive and courteous. When speaking on the phone, one's facial expression is reflected in one's voice. Smiling or maintaining a pleasant expression will help convey a friendly attitude.
  - Pronunciation/articulation/enunciation – Clear speaking establishes credibility while garbled speaking does the opposite. Avoid slurring words and running words together. For example, say *"Who is it?"* instead of *"Whosit?"* Do not eat when speaking on the phone.

### **Customer Service Guidelines**

The purpose of these guidelines is to establish standards for responding to customer inquiries. They should be used when communicating on the telephone, through electronic mail, or in written correspondence.

1. Routine versus Non-Routine Requests – Requests that are relatively straightforward and do not require a great deal of research are considered routine. Employees are expected to make every effort to respond to routine inquiries on the same business day but no later than the end of the next business day.

Requests that require a more detailed review are considered non-routine. Non-routine requests should be responded to as soon as possible but no later than the end of the second business day after the day in which the request was received. If a request has not been completed within this time frame, employees are expected to inform the customer and provide an estimated time frame as to when you expect to fully respond to the request.

2. Telephone Usage and Etiquette Policy – Telephone calls from both internal and external customers should be answered as quickly as possible within three rings whenever practical.

- Employees who answer telephones as one of their primary job duties are prohibited from screening phone calls or avoiding calls from a particular person or phone number.
- Placing a call – When placing calls, employees should identify themselves by city department and name. For example:

*“Hello, this is Glen Smith calling from the City of Harrodsburg Human Services Division. Is Mr. Williams available?”*

- If the intended party answers, provide them with accurate and concise information, following the same protocol when receiving calls as described below. If an employee must leave a message, they should be sure to clearly state their name, city department, phone number, and a brief summary of the purpose of the call. When possible, repeat the return phone number twice. For example:

*“Hello, this message is for Mr. Billy Williams. This is Jim Johnson calling from the City of Harrodsburg Human Services Division. My number is 000-000-0000. I am returning your call regarding the water department bill. Again, I can be reached at 000-000-0000. Thank you.”*

- Receiving calls – Employees are expected to answer the telephone in a courteous and professional manner. After the employee’s greeting, the caller should be allowed to state their business or concern. Employees are advised to listen carefully and never cut a caller off before they are finished speaking.
- The employee should then attempt to assist the caller by providing accurate information in as concise a manner as appropriate. Provide only factual information and refrain from giving opinions or speculating.
- When the information has been provided, ask the caller if they need any further assistance. Once the caller is ready to hang up, thank the caller. Never hang up if the caller is still speaking unless the caller is abusive. (More information on responding to complaints and angry customers is below.)
- Transferring calls and placing calls on hold – Employees should make every effort to assist the caller and avoid placing the caller on hold or transferring. If an employee is unable to assist a caller, needs information from another employee, or the caller needs to speak with someone from another department, the call may be transferred and/or placed on hold. The employee should say something like:

*“I am unable to help you with this issue, but I’d like to transfer you to someone who can help. May I place you on hold briefly while I contact them to transfer your call?”*

- Unless the caller is insistent, do not transfer them to another employee or their voicemail if the caller is angry. Instead offer to take a message and make certain the message is delivered promptly. Similarly, avoid sending angry callers directly to the city clerk, deputy city clerk, or commissioner over the department without consulting your immediate supervisor to see if they can resolve the issue.
- If the customer gives permission call the extension of the employee who will be able to help. Avoid transferring a call without speaking to the other employee. It is difficult for employees to take calls without preparation and the caller will find it frustrating if they are required to restate their request. If the employee answers, briefly share the caller’s identity and general request. Prior to putting the customer on hold it is a good idea to let the customer know the employee’s extension just in case the call gets lost or dropped.
- If the employee you are trying to reach is not available, inform the caller that the person is unavailable and offer to take a message or transfer the caller to the employee’s voicemail. Do not transfer the caller to an employee’s voicemail without the permission of the caller. If the caller does not wish to leave a message inform them politely that they are welcome to call back at another time.
- Call forwarding – It may be necessary at times for employees to utilize the call forwarding feature through the phone system when out of the office. Employees should check with their supervisor to see if they should use the call forwarding feature (or an out-of-office voicemail greeting) when planning to be out of the office.
- When out of the office phone calls are generally forwarded to another employee or to a city-issued cell phone but may be forwarded elsewhere as needed at the discretion of the supervisor.
- Employees should consult the user prompts on their office telephone for instructions on how to forward calls or contact the city clerk, deputy city clerk, or their designee for further assistance.
- Taking messages – If a caller is seeking a particular employee and that person is not available to answer their phone, inform the caller and ask if another employee may assist them if appropriate.
- If the employee is not available to take the call the answering employee should avoid providing unnecessary information to the caller. For example, state *“I’m sorry; Jane is not available at this time.”* Instead of: *“Jane is down in the lunchroom right now.”* The employee taking the call should offer to take a message or offer to transfer the call to the employee’s voicemail. Allow the caller to choose the method of message delivery.
- Messages should include the information listed below. It is important for employees to take good notes and give messages to other employees promptly in order to provide quick and accurate customer service:
  - Name of the person who the message is for, date and time.
  - Name or initials of the employee taking the message.

- Name of the caller's business/organization if needed.
  - Telephone and other contact information where the caller can be reached.
  - Consider asking for the best time to return a call.
  - Purpose of the call/message/request.
  - Action requested by the caller such as wants to see you, please return call, will call back, etc.
  - Repeat the information back to the caller to check accuracy.
- Returning telephone calls – Employees should make every effort to check their voicemail often and return calls as quickly as possible within one business day or sooner. If an employee is on shift work, voicemail greetings should convey the fact that calls will be returned when the employee returns to work. Greeting messages should specify the date the employee expects to return to work.
  - Voicemail greeting – When setting up the primary greeting employees should include their name and department. Greetings should be polite and concise. For example:  
*“Hello, you have reached the voicemail of Bill Jones, City of Harrodsburg Public Works Department. I am unable to take your call at this time. At the tone please leave your name, phone number, and a brief message, and I will return your call as soon as possible. Thank you.”*
  - Greetings can be enhanced to allow the caller to speak to a live person if they do not wish to leave a message.
3. Email Usage and Etiquette Policy – Email messages from both internal and external customers should be answered as quickly as possible (by the end of the business day if practical). Employees are expected to respond to emails in a concise and professional manner. Following are email etiquette tips to follow when initiating or responding to an email:
- Be concise and to the point – Do not make an email longer than it needs to be. Keep the important information as close to the top of the email message as possible. Remember that reading an email is harder than reading printed communications and a long email can be very discouraging to read.
  - Respond promptly – Customers generally send an email because they wish to receive a quick response. As noted above, every effort should be made to reply to a routine request within the same business day but no later than the end of the next business day. If the request is complicated (non-routine) reply to the email stating that you have received their email and you expect to get back to them within a certain time frame.
  - If you are out of the office for an extended period place an out-of-office message on your email stating the date that you will respond to them as well as an alternative person to call or email.
  - Use proper spelling, grammar, and punctuation – This is very important because improper spelling, grammar, and punctuation give a poor impression of the city. Moreover, it is important for conveying the message properly. Emails with no full stops or commas are difficult to read and can sometimes even change the meaning of the

text. Avoid using acronyms or city jargon as the reader may be unfamiliar. Use the spell check option for longer email messages.

- Use proper structure and layout – Since reading from a screen is more difficult than reading from paper, structure, and layout are very important for email messages. Use short paragraphs and blank lines between each paragraph. When making points, consider numbering them. Do not use a background font or design that detracts from your message.
- Do not overuse the high priority option or it will lose its function when you really need it. Moreover, even if an email has high priority, your message will come across as slightly aggressive if you flag it as “high priority.”

### **Email Etiquette Tips**

- Do not write in CAPITALS – IF YOU WRITE IN CAPITALS IT SEEMS AS IF YOU ARE SHOUTING. This can be annoying and may trigger an unwanted response from the recipient.
- Don’t leave out the message thread – When you reply to an email it is more often than not to include the original mail in your reply; in other words, click “Reply,” instead of “New Mail.” If a person receives too many emails, they obviously cannot remember each individual email. This means that a “threadless email” will not provide enough information, and they will have to spend a frustratingly long time to find out the context of the email. Leaving the thread might take a fraction longer in download time but it will save the recipient the time and frustration of looking for the related emails in their inbox or deleted folder.
- Read the email before you send it – Reading your email from the recipient’s point of view will help you send a more effective message and avoid misunderstandings and inappropriate comments.
- Do not overuse “Reply to All” – Only use “Reply to All” if you really need your message to be seen by each person who received the original message.
- Take care with abbreviations and emoticons – Try not to use abbreviations such as BTW (by the way) and LOL (laughing out loud). The recipient might not be aware of the meanings of the abbreviations and in business emails these are generally not appropriate. The same goes for emoticons such as the smiley :). If you are not sure whether your recipient knows what it means, it is better not to use it.
- Take care when requesting delivery and read receipts – If you decide it is necessary to request a delivery and read receipt, be advised that doing so could annoy your recipient before they have even read your message. Besides, it often does not work since the recipient could have blocked that function. If you want to know whether an email was received it may be better to ask the recipient to let you know if it was received.
- Do not ask to recall a message – Chances are that your message has already been delivered and read. It is better just to send an email to say that you have made a mistake. This will look much more honest than trying to recall a message.
- Use a meaningful subject – Try to use a subject that is meaningful to the recipient as well as yourself.

- Avoid long sentences – Try to keep your sentences to a maximum of 15-20 words. Email is meant to be a quick medium and requires a different kind of writing than letters. Also take care not to send emails that are too long; chances are that the recipient may not want or have the time to read it.
  - Keep your language gender neutral – Avoid using sexist language such as: “The user should add a signature by configuring his email program.” Apart from using him or her you can also use the neutral gender: “The user should add a signature by configuring the email program.”
4. Translation and Interpretation Services – At times employees may need the services of a translator or an interpreter to communicate with a customer. Employees are encouraged to seek guidance from supervisors.

### **Responding to Complaints and Angry Customers**

1. Tips for Handling Complaints Effectively.
  - Be patient – Do not interrupt the customer. Give the customer ample time to explain the issue. Project an air of interest, concern, and genuine desire to help the customer.
  - Be understanding – Do not be judgmental. Customers want empathy. Let them know you understand by summarizing their concerns. The following statements demonstrate that you understand their concern:  
  
*“Let me see if I understand this ” -or- “You are feeling \_\_\_\_\_ because \_\_\_\_\_.”* Speak calmly and slowly – this should help relax the customer and allow you to address the facts, not cater to the emotions. Speaking calmly and slowly will also help you to stay calm and focused.
  - Sincerely apologize for the inconvenience – Even if you sense that the problem is not the fault of your department or the city and clearly not your fault, apologize to the customer for the inconvenience they have experienced. This is not admitting guilt or patronizing the person but rather will communicate sympathy, understanding, and a willingness to assist the customer.
  - Identify the problem – Based on the information the person communicates to you, restate the problem/issue in a concise way to make sure that all the points are covered completely and to ensure that you have understood them correctly.
  - Identify solutions – Depending on the specifics of the particular conversation and your knowledge of the organization, a solution may involve taking notes, promising to research the matter, and following up at a later date. If it is a person on the telephone, a potential solution might be to have the person come into the office to speak to another employee.
  - Make an agreement – You and the customer should determine what is to be done, when it is to be done, and by whom.
  - **Follow-up personally to make sure the customer has been satisfied.**
2. Dealing with Angry Customers – When handling or responding to complaints and/or angry customers the employee should be patient while allowing the customer to vent a reasonable amount of stress, anger and/or frustration. Employees must remain calm and respectful at all

times. Make an effort not to take complaints personally or assign blame or judgment and attempt to follow the tips for handling complaints effectively.

When customers are offensive on the telephone avoid the following behaviors:

- Hastily and/or unnecessarily transferring a complaint caller to an unsuspecting co-worker.
  - Ignoring a complaint caller while they “talk themselves out and calm down.”
  - Placing a complaint caller on hold without a periodic check-in.
  - Responding to the complaint by saying, *“Sorry, that’s not my job.”*
  - Placing the blame on another department or employee. It solves nothing and hurts morale.
  - Hanging up as if by accident.
  - Promising to call right back. If you need to return the call give a reasonable time frame.
  - Also, do not promise that someone else will return the call. Promising to give the message to the appropriate person is acceptable.
3. When a Customer Uses Abusive Language – Employees are not expected to put up with verbally abusive customers who use obscene or threatening language. If a customer is verbally abusive keep the following in mind:
- Explain that the conversation is not resolving the problem.
  - Politely end the conversation by saying: *“I am not comfortable with the way you are talking to me. Perhaps it would be better if we discussed this at another time.”*
  - Notify the appropriate person in your department or supervisor who may receive a visit or a phone call from this person and present the facts as you see them.

When a customer is offensive and remains irate or refuses to listen, politely inform the customer that nothing can be done unless the customer cooperates. Inform the customer that their behavior is not acceptable and that no assistance can be provided unless the conduct changes appropriately. If the customer refuses to cooperate the employee should calmly inform the customer that the employee is terminating the conversation due to the customer’s behavior. For example:

*“I am sorry, sir or ma’am, but I cannot help you if you continue to shout at me. I am ending the conversation at this time.”-or- “I am sorry sir or ma’am, but I cannot help you if you continue to use abusive language. I am ending the conversation at this time.”*

If the customer makes threats or in any way indicates a danger to safety, inform the police department immediately. Also, inform a supervisor as soon as possible of the incident and how it was handled. Record the details of the incident and provide a copy to the appropriate supervisor for reference purposes.

### **Stress Management and Employee Assistance Program**

It is normal for city employees to feel “stressed out” when attempting to provide effective customer service, especially to individuals who are overbearing or angry. For tips on how to recognize and deal

with personal stress, consider the city's employee assistance program (EAP). Information on this program can be found in Section 7 of this handbook.

## **Conclusion**

The standards herein are designed to help ensure that contact with customers will always be handled in a professional, courteous manner and that city employees are providing the best possible internal and external customer service. Employees are encouraged to submit suggestions for amending and improving this policy and associated guidelines. Any suggestions or comments should be directed to the city clerk's office.



## HR FORM 01 – HANDBOOK ACKNOWLEDGMENT

**I certify** that I have received a copy of the City of Harrodsburg Employee Handbook (either an electronic and/or a physical copy) and have read and fully understand its contents. I have had an opportunity to ask my supervisor or the management personnel any questions that I have about the policies contained in the handbook. I understand that failure to comply with the city's policies and rules may result in disciplinary action up to and including discharge.

**I understand** that the City of Harrodsburg Employee Handbook is not an express or implied contract of employment and that my employment is at will and may be terminated at any time by me or the city. No officer, manager, or other representative has any authority to enter into any agreement, oral or written, for employment for any specified period of time, or to make any agreement contrary to the foregoing unless approved by action of the city commission in accordance with the city budget.

**I understand** that the City of Harrodsburg is an Equal Opportunity Employer. As outlined in the City of Harrodsburg Employee Handbook, it is the city's policy to afford equal employment opportunity to all qualified persons regardless of race, color, religion, age, sex, sexual orientation, gender identity, genetic makeup, pregnancy, childbirth, pregnancy/child birth-related medical conditions, national origin, disability, veteran or family status, an individual's status as a smoker or nonsmoker, or any other status or condition protected by applicable local, state, or federal laws, except where a bona fide occupational qualification applies. I understand any questions about this policy should be directed to my supervisor or any supervisor or management staff.

**I understand** that the City of Harrodsburg Employee Handbook is a guide for common working practices and procedures for the city and that the city reserves the right to revise, terminate, or add to the employee handbook with or without notice at any time.

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Employee Name

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Employee Signature

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Date

HR FORM 02 – JOB DESCRIPTION AND ACKNOWLEDGMENT

	Supervisor	Employee
Discussed essential job functions.	_____	_____
Discussed additional job duties.	_____	_____
Discussed physical requirements.	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

I **certify** that I have received a copy of the job description for my position as \_\_\_\_\_ and have read and fully understand the requirements and expectations. I have discussed the contents of the job description with \_\_\_\_\_ and have had an opportunity to ask my supervisor or the management personnel questions. I further certify that I have the ability to meet the job requirements, including the physical requirements.

\_\_\_\_\_  
Employee Name

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor Name

\_\_\_\_\_  
Supervisor Signature

\_\_\_\_\_  
Date

## HR FORM 03 – BACKGROUND CHECK RELEASE

- (1) I, \_\_\_\_\_, give the City of Harrodsburg my permission to conduct a criminal background and/or credit check using my name and personal information.
- (2) I understand the information given and received will be kept confidential and may affect an employment offer.
- (3) I understand that a criminal conviction does not automatically disqualify me from employment since the nature of the offense, date, and the job for which I am applying is also considered. In addition, pursuant to KRS 335B.020, no person shall be disqualified from public employment solely because of a prior conviction of a crime unless the crime for which they were convicted directly relates to the position of employment sought or as required for the position, i.e., police, fire, EMS.

Full Name \_\_\_\_\_

Maiden Name, if applicable \_\_\_\_\_

Other Former Names (list all) \_\_\_\_\_

Birthday (MM/DD/YYYY) \_\_\_\_/\_\_\_\_/\_\_\_\_ Social Security Number ----- \_\_\_\_\_

Driver's License Number \_\_\_\_\_ Issuing State \_\_\_\_\_

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

# HR FORM 04 – DRIVER’S LICENSE BACKGROUND CHECK RELEASE

## CONFIDENTIAL

Because I need to drive a city vehicle or my own vehicle on city business, I, \_\_\_\_\_, give the City of Harrodsburg my permission to conduct a driver’s license background check using my name and personal information.

I understand the information given and received will be kept confidential and may affect the offer of employment. I also understand that if hired a driver’s license background check will be done on a yearly basis for as long as driving a vehicle on city business is a part of my job duties.

Full Name \_\_\_\_\_

Maiden Name (if applicable) \_\_\_\_\_

Other Former Names (list all) \_\_\_\_\_

Birthday (MM/DD/YYYY) \_\_/\_\_/\_\_\_\_ Social Security Number ----- \_\_\_\_\_

Driver’s License Number \_\_\_\_\_ Issuing State \_\_\_\_\_

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

## HR FORM 05 – ELECTRONIC TRACKING ACKNOWLEDGMENT

I acknowledge that I have received and read a copy of the Electronic Tracking Technology Policy as found in the Vehicle Use Policy within Section 3 of the City of Harrodsburg Employee Handbook.

Pursuant to this policy I acknowledge that the City of Harrodsburg may monitor city-owned or leased vehicles in which I am a driver or a passenger via electronic tracking technology and that I do not have an expectation of privacy in the information that results from such monitoring. I further understand that the information obtained from such tracking may be used to support disciplinary action against me and that altering or attempting to alter or disable the electronic tracking technology will result in disciplinary action up to and including termination.

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Employee Signature

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Employee Full Name Printed

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Date

## **HR FORM 06 – DRUG- AND ALCOHOL-FREE WORKPLACE POLICY ACKNOWLEDGMENT**

- (1) The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited within the workplace of the City of Harrodsburg. (See Section 3 of the Drug- and Alcohol-Free Workplace Policy contained within the handbook.)
- (2) An employee found to be abusing drugs, but not convicted of any drug statute violation, will be subject to appropriate disciplinary 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.
- (3) Each employee is required as a condition of employment to abide by the terms of paragraph (1) of this Acknowledgment and notify the employer of any criminal drug conviction for a violation occurring in the workplace no later than five days after such conviction.
- (4) The city shall, within 30 days after receiving notice from an employee of a conviction pursuant to paragraph (3), take appropriate disciplinary action against such employee up to and including termination.
- (5) The city also assures to make a good faith effort to maintain a drug-free workplace through implementation of paragraphs (1), (2), (3), and (4).

### **CERTIFICATION AND ACKNOWLEDGMENT**

I, \_\_\_\_\_ do hereby certify that I have read and understand the City of Harrodsburg's Drug- and Alcohol-Free Workplace Policy and have received a copy of the aforementioned policy.

Employee Signature \_\_\_\_\_

Parent/Guardian Signature \_\_\_\_\_  
(If employee is under 18 years of age)

Date \_\_\_\_\_

## HR FORM 07 – ABSENTEE REQUEST

Date \_\_\_\_\_

Name \_\_\_\_\_  
(Please print)

Type of Leave

- ☐ Compensatory Time
- ☐ Vacation
- ☐ Sick
- ☐ Other (Please explain, i.e., jury duty, bereavement.)

\_\_\_\_\_

From \_\_\_\_\_ To \_\_\_\_\_ Total Hours Requested \_\_\_\_\_  
Date and Time Date and Time

Signed \_\_\_\_\_ Approved \_\_\_\_\_

## HR FORM 08 – SICK LEAVE DONATION APPLICATION – RECIPIENT

Employee Recipient Name \_\_\_\_\_

Amount of Leave Needed \_\_\_\_\_

Please provide a reason transferred leave is needed including anticipated duration of leave needed. (If this is an amended request provide reason for the extension.)

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\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

**\*\*Return this form to the city clerk or deputy city clerk\*\***

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Verification of Eligibility  
(To be completed by the city clerk or deputy city clerk.)

Total leave available as of today. (Must be 0.)	
Total approved donated leave.	

Employee requesting donated leave meets all criteria in the Sick Leave Donation Policy within Section 8 of this handbook.

- ☐ Yes  
☐ No

Transfer made for the following pay period.

\_\_\_\_\_

\_\_\_\_\_  
City Clerk/Deputy City Clerk Signature

\_\_\_\_\_  
Date



## HR FORM 09 – SICK LEAVE DONATION – DONOR

Employee Name \_\_\_\_\_

I authorize the city under the outlined conditions in the Sick Leave Donation Policy in Section 8 of the City of Harrodsburg Employee Handbook, to transfer the following leave to the recipient's donated leave bank.

Donation To \_\_\_\_\_  
Name of Recipient

Number of Leave Hours Donated (Must be in 8-hour increments.) \_\_\_\_\_

\_\_\_\_\_  
Employee Name Printed

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

**\*\*Return this form to the city clerk or deputy city clerk\*\***

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Verification of Eligibility  
(To be completed by the city clerk or deputy city clerk)

Total leave available as of today.	
Total leave after donating sick hours. Must be at least 160 hours	
Total approved donated leave.	

Employee donating leave meets all criteria in the Sick Leave Donation Policy within Section 8 of this handbook.

☐ Yes

☐ No

Transfer made for the following pay period. \_\_\_\_\_

\_\_\_\_\_  
City Clerk or Deputy City Clerk Signature

\_\_\_\_\_  
Date

## HR FORM 10 – FMLA LEAVE REQUEST

I, \_\_\_\_\_, request to be placed on the city's Family and Medical Leave of Absence regarding the following:

Reason for Leave of Absence

- ☐ The birth of a child, or placement of a child with me for adoption or foster care.
- ☐ My own serious health condition.
- ☐ I need to care for my ☐ spouse ☐ child ☐ parent due to their own serious health condition.
- ☐ Because of a qualifying exigency arising out of the fact that my spouse, son, daughter, or parent is on active-duty status in support of a contingency operation as a member of the National Guard or Reserves.
- ☐ Because I am the ☐ spouse ☐ son ☐ daughter ☐ parent ☐ next of kin of a covered service member with a serious injury or illness.

Family and Medical Leave Start Date \_\_\_\_\_

Family and Medical Leave End Date \_\_\_\_\_

I understand that I must first use all my accrued sick, vacation, and compensatory leave time during the period of FMLA, except as provided in the Pregnancy and Parental Leave Policy within Section 8 of this handbook.

Employee Signature \_\_\_\_\_ Date \_\_\_\_\_

City Clerk/Deputy City Clerk Approval \_\_\_\_\_ Date \_\_\_\_\_

# HR FORM 11 – FMLA MEDICAL UPDATE

For Completion by the HEALTH CARE PROVIDER

Page 1 of 2

Employee Name \_\_\_\_\_

**INSTRUCTIONS to the HEALTH CARE PROVIDER:** The employee listed above is either your patient or is requesting continuation of leave under FMLA to care for your patient. Based on the attached original Medical Certification for FMLA, please advise as to any changes since the last certification was filled out by you. Answer, fully and completely all applicable changes. Your answer should be your best estimate based upon your medical knowledge, experience, and examination of the patient. Be as specific as you can; terms such as “lifetime,” “unknown,” or “indeterminate” may not be sufficient to determine FMLA coverage. Limit your responses to the condition for which the employee or employee’s family member is seeking continued leave. Please be sure to sign the form on the last page.

Provider’s Name and Business Address \_\_\_\_\_

\_\_\_\_\_

Type of Practice/Medical Specialty \_\_\_\_\_

Telephone (    ) \_\_\_\_\_ Fax (    ) \_\_\_\_\_

## CHANGES IN MEDICAL CERTIFICATION

Identify the question by number in the original certification with your response.

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Health Care Provider Signature

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Date

**PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT**

If submitted, it is mandatory for employers to retain a copy of this disclosure in their records for three years. 29 U.S.C. § 2616; 29 CFR § 825.500. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Department of Labor estimates that it will take an average of 20 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Ave., NW, Washington, DC 20210. **DO NOT SEND COMPLETED FORM TO THE DEPARTMENT OF LABOR. RETURN TO THE PATIENT.**

# HR FORM 12 – FMLA MEDICAL RELEASE RETURN TO WORK

(To be completed by health care provider.)

Page 1 of 2

Due Date of Form \_\_\_\_\_

Employee Name \_\_\_\_\_

Position \_\_\_\_\_

Department \_\_\_\_\_

**NOTE TO THE EMPLOYEE:** It is the responsibility of the employee to have their treating physician(s) complete this form. It is the responsibility of the employee to ensure that the form is returned to the city clerk or deputy city clerk by the first day you return to employment.

## Health Care Provider Instructions

Complete this section by marking the applicable statements, providing the requested information, and signing and dating where indicated. You may provide comments on a separate sheet if you need additional space. Please review the attached list of essential job functions in answering the following questions.

1. Please review the attached list of essential job functions. Is the employee currently able to perform the essential function of their job?  
  
☐ No   ☐ Yes   ☐ Yes, with restrictions and/or accommodations.
2. In reviewing the list of essential functions of the employee’s job, list any medically necessary restrictions that the employee has in returning to active employment.

3. Are the medically necessary restrictions permanent or temporary? If temporary, please describe an anticipated timeline for the employee to reach maximum medical improvement.

☐ Permanent    ☐ Temporary

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4. If the medical condition of the employee changes over time, please describe these changes as they relate the capability of the employee to perform the essential functions of their job.

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5. Is there other information related to work that the city should be aware of that would assist the employee in a successful return to active employment?

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Name of Health Care Provider \_\_\_\_\_

Specialty \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_  
Health Care Provider Signature

\_\_\_\_\_  
Date

# HR FORM 13 – TRAVEL, MEETING, AND TRAINING REQUEST

*This form is to be filled out prior to the event.*

Name \_\_\_\_\_

Supervisor Approval \_\_\_\_\_ City Clerk/Deputy City Clerk Approval \_\_\_\_\_

Department \_\_\_\_\_ Meeting Date \_\_\_\_\_

Meeting Title \_\_\_\_\_

Meeting Location \_\_\_\_\_

Reason for Attendance \_\_\_\_\_ Estimated Cost \_\_\_\_\_

Name of Spouse/Guest Attending \_\_\_\_\_  
(City will not pay for spouse/guest attendance.)

Does guest need to be registered for the conference? ☐ No ☐ Yes

Special Requirements \_\_\_\_\_

Hotel Request ☐ Yes ☐ No

Hotel other than conference hotel. \_\_\_\_\_

Arrival Date \_\_\_\_\_ Departure Date \_\_\_\_\_

Choice of accommodation ☐ Single ☐ Double ☐ King Bed ☐ Smoking ☐ Non-Smoking

Guaranteed to city credit card, guest to pay own charges. The city will cover the room and tax only. However, this must be requested at least five days prior to departure.

Travel Request

Flight Request ☐ Yes ☐ No ☐ Will make own reservations. (Must have commission approval on file.)

From (city/time) \_\_\_\_\_ To (city/time) \_\_\_\_\_

Car Rental ☐ Yes ☐ No (Must have commission approval on file.)

# HR FORM 14 – COMPLAINT FORM

## Employee Information

Name \_\_\_\_\_ Job Title \_\_\_\_\_

## Complaint Information

Date of Occurrence \_\_\_\_\_

Have you discussed this issue with your supervisor? ☐ Yes ☐ No

Date(s) of Discussion \_\_\_\_\_ Supervisor's Name \_\_\_\_\_

Issue of Complaint List specific problem(s)/issue(s).

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For clarification of the issues of your complaint, please provide statements regarding the unfavorable employment condition which is the subject of this complaint. Describe what happened, when and where this occurred, how your employment has been affected, and indicate names of others involved or who may have witnessed the incident. Attach any supporting documentation.

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List of persons with knowledge of problem(s).

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My signature indicates that the information contained on this form and attachments to this form are true and factual to the best of my knowledge.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Clerk/Deputy City Clerk Signature

\_\_\_\_\_  
Date Received

\_\_\_\_\_  
Mayor/Commissioner Signature

\_\_\_\_\_  
Date Received



## HR FORM 15 – EXPENSE REPORT

Name \_\_\_\_\_

Department \_\_\_\_\_ Meeting Date \_\_\_\_\_

Meeting Title \_\_\_\_\_

Meeting Location \_\_\_\_\_

Reason for Attendance \_\_\_\_\_

Expense Reimbursement Advance Request ☐ Yes ☐ No Date Submitted \_\_\_\_\_

Mileage Request ☐ No, I used a city-owned vehicle. ☐ Yes, I used my privately owned vehicle.

Date	Number of Miles	Reason for Travel

Total Miles \_\_\_\_\_ x Kentucky Mileage Rate \_\_\_\_\_ = Total Reimbursement Requested \$ \_\_\_\_\_

Expense Item	Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.	Totals
Breakfast*								
Lunch*								
Dinner*								

Was a conference agenda provided? ☐ No ☐ Yes. If yes, attach a copy to the request.

If no, why? \_\_\_\_\_

Total Reimbursement Requested: \$ \_\_\_\_\_

Other Expense Request (Attach all itemized receipts with name, date, and note reason for expense below.)

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I attest the above accurately reflects actual expenses incurred on behalf of the city.

Employee Signature \_\_\_\_\_

Date \_\_\_\_\_

Employee Supervisor \_\_\_\_\_

Date \_\_\_\_\_

# HR FORM 16 –MISSING RECEIPT AFFIDAVIT

*Use with purchasing card for purchases and travel expense transactions.*

## USE ONE AFFIDAVIT FOR EACH MISSING RECEIPT

I \_\_\_\_\_ have either not received or have misplaced a receipt totaling \_\_\_\_\_. This expense was incurred on behalf of the city. This form is submitted in lieu of the original receipt.

Reference Number \_\_\_\_\_ Transaction Date \_\_\_\_\_ Vendor \_\_\_\_\_

Detailed Explanation

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I certify that the amounts shown above were expended for city business purposes.

\_\_\_\_\_  
Employee/Officer Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Approving Official Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Approving Official Printed Name

## HR FORM 17 – CHANGE IN PERSONAL INFORMATION

Employee Name \_\_\_\_\_

Employee Title \_\_\_\_\_

Type of Change

☐ Address

☐ Phone

*Any status changes, e.g., marital status, birth of child, etc., should be documented on the **Change in Status/Termination Election Form**, as outlined in Chapter 3 of the employee handbook.*

New Information

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\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

## HR FORM 18 – DISCIPLINARY FORM

Employee \_\_\_\_\_ Date \_\_\_\_\_

Supervisor \_\_\_\_\_ Position \_\_\_\_\_

Type of Warning \_\_\_\_\_ Oral Warning \_\_\_\_\_ First Written Warning

\_\_\_\_\_ Second Written Warning \_\_\_\_\_ Suspension/Demotion

Problem \_\_\_\_\_

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Recommended Action to Correct Problem \_\_\_\_\_

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My signature indicates I have been informed of a problem with my performance on the job and that I understand the recommended action which should be taken to correct my behavior.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Commissioner Signature

\_\_\_\_\_  
Date

Failure to correct this behavior will result in further progressive discipline up to and including termination of your employment.

HR FORM 19 – CONTINUOUS FEEDBACK

Employee \_\_\_\_\_

Department \_\_\_\_\_ Supervisor \_\_\_\_\_

Goals (\_\_\_/\_\_\_/\_\_\_)

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_

Date	Discussion Notes
_____	_____ _____
_____	_____ _____
_____	_____ _____
_____	_____ _____
_____	_____ _____
_____	_____ _____

## HR FORM 20 – OUTSIDE EMPLOYMENT REQUEST

Please be advised of my intention to engage in work outside the City of Harrodsburg. The employer, type of work I will be doing, and the work hours are as follows:

- (1) Prospective Employer \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone Number \_\_\_\_\_
- (2) Type of work that I will be doing. (Explain in detail.)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- (3) Work schedule. (Include the hours to be worked and the period of time you will be keeping the job. If you do not know, please state below.)  
Hours \_\_\_\_\_  
Days \_\_\_\_\_  
Period of Employment \_\_\_\_\_
- (4) I understand that my outside employment cannot conflict with my city work schedule or cause an actual or perceived conflict with my job duties as an employee of the city, or my ethical responsibilities provided for in the Ethics Code. If the city determines that there is an actual or perceived conflict, I will be advised in writing by the commission within 10 days of the date I submit this request to my immediate supervisor. If I continue to maintain outside employment without the approval of the city, I understand that I may be subject to disciplinary action.
- (5) I am not presently involved in any job task or responsibility that may create a potential conflict of interest with the outside employer listed above. I agree that if in the future my job duties create an actual or perceived conflict, I will immediately notify the city and take steps to avoid any conflict of interest.

Printed Name \_\_\_\_\_

Job Title \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

.....

I, \_\_\_\_\_, department supervisor for \_\_\_\_\_ have reviewed the employee's job duties and assignments as to whether there is actual or perceived conflict.

Recommend ☐ Not Recommended ☐

Reason/Comment \_\_\_\_\_

\_\_\_\_\_

Department Supervisor \_\_\_\_\_ Date \_\_\_\_\_

.....

I have reviewed the employee's job duties and assignments as to whether there is actual or perceived conflict.

Recommend ☐ Not Recommended ☐

Reason/Comment \_\_\_\_\_

\_\_\_\_\_

Department Commissioner \_\_\_\_\_ Date \_\_\_\_\_

.....

# HR FORM 21 – ACTIVE-DUTY MILITARY LEAVE NOTIFICATION

Name \_\_\_\_\_ Date \_\_\_\_\_

Department \_\_\_\_\_

Date of Leave \_\_\_\_\_ Approximate Date of Return \_\_\_\_\_

Do you wish to receive payment of your normal wages for up to 21 calendar days for the federal fiscal year?

☐ Yes ☐ No

If leave is expected to extend beyond your paid leave, do you wish to continue your voluntary benefits?

☐ Yes ☐ No

If yes, please list the benefit and amount below.

(Examples: Life Insurance, Family Health Insurance, City-Authorized Payroll Deductions)

Benefit	Amount
_____	_____
_____	_____
_____	_____

You will need to indicate how you would like to pay your premium(s) and or contributions below.

\_\_\_\_\_ Monthly \_\_\_\_\_ Quarterly \_\_\_\_\_ Annually

Payments are due as follows. \_\_\_\_\_

\_\_\_\_\_

If payments are not made as indicated, you are subject to losing coverage and or benefit.

Written order attached? ☐ Yes ☐ No

NOTE: You are not required to provide written orders until you have been on leave more than 30 days. Once you have exceeded 30 days you will need to submit a copy of your orders to the city to ensure your eligibility under the Uniformed Services Employments and Reemployment Rights Act (USERRA).

Employee Signature \_\_\_\_\_ Date \_\_\_\_\_

Supervisor Signature \_\_\_\_\_ Date \_\_\_\_\_

City Clerk/Deputy City Clerk Signature \_\_\_\_\_ Date \_\_\_\_\_

\*\*\*\*\*

Office Use Only

Date Received \_\_\_\_\_ Copy to Payroll \_\_\_\_\_ Copy of Orders \_\_\_\_\_



# HR FORM 22 – REQUEST FOR PURCHASE OF UNUSED COMPENSATORY TIME FORM

## SECTION I: For Completion by the employee:

Date of Request \_\_\_\_\_

Employee Name \_\_\_\_\_

Total number of hours requested (not to exceed 40 hour increments two times per fiscal year). \_\_\_\_\_

Does the employee understand that the payment for the unused vacation time is subject to all applicable taxes and other legal withholdings? ☐ Yes ☐ No

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Department Supervisor or Department Commissioner Signature

\_\_\_\_\_  
Date

SUBMIT COMPLETED AND APPROVED FORM TO CITY CLERK OR DEPUTY CITY CLERK

## SECTION II: For Completion by the city clerk.

Is the employee eligible for the compensatory leave cash out option pursuant to Compensatory Time for Exempt Employees Policy?

☐ Yes ☐ No

Employee's hourly rate of pay. \_\_\_\_\_

Total amount of compensatory leave cash option. \_\_\_\_\_

\_\_\_\_\_  
City Clerk Signature

\_\_\_\_\_  
Date



EMPLOYEE HANDBOOK 2022

Kentucky League of Cities

100 E Vine St, #800

Lexington, KY 40507

800.876.4552

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