



CITY OF GRINNELL

PERSONNEL POLICY MANUAL

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PERSONNEL POLICY MANUAL

INTRODUCTION

A. PURPOSE AND INTENT

The city of Grinnell's Personnel Policy Manual describes the official policies and procedures guiding the city's actions with regard to personnel matters. It is intended to guide and direct staffing and personnel management under routine situations. By providing clear policy and procedures, the manual will contribute to a professional working environment in which roles and responsibilities are understood and accepted. This manual is not a contract, nor does it form the basis for a contract of employment. Employees of Grinnell are considered employees-at-will, unless they are covered by civil service laws of the Iowa State Code. These policies may be changed by the City as it desires, with or without notice to the employees.

SECTION 1. RESPONSIBILITY FOR ADMINISTRATION:

A. **CITY MANAGER:** It is the City Manager's responsibility to carry out the City Personnel Program including administration of the position Classification and Pay Plans. The City Manager may assign other City employees to assist in the administration of regulation. The City Manager is authorized and directed to administer the provisions of this manual and shall have the responsibility to establish detailed procedures he/she deems necessary to further explain or clarify the provisions contained herein. Employees covered by this manual shall be subject to applicable administrative policies, work rules and other regulations established by the City Council, Supervisor or City Manager.

The provisions of this policy shall not be construed as limiting in any way the power and authority of a department manager to establish departmental rules and regulations governing the conduct and performance of employees under his or her supervision. Such departmental rules and regulations shall not be in conflict with the provisions of this manual.

B. **EMPLOYEES COVERED:** It is the policy of the City to extend equal employment opportunities to all employees and applicants for employment. Positions in the City shall be open to all applicants who meet the qualifications established for the position for which the application is made. The provisions of this policy shall be applied equally to all regular full-time and part-time employees without discrimination as to mental or physical ability, age, sex, sexual orientation, gender identity, marital status, race, color, religion, national origin, pregnancy, genetic information, political affiliation, or any other classification protected by local, state, or federal law. Complaints involved in allegations of discrimination shall not be a proper subject for the grievance procedure set forth in this policy or the civil service appeal procedure set forth in Chapter 400, Code of Iowa.

C. **CIVIL SERVICE:** If applicable, Civil Service Commission will hear all appeals from disciplinary action against employees covered under Chapter 400, Civil Service (Iowa Code).

D. CITY COUNCIL: The City Council shall annually establish the rate of pay for all positions in the City. The City Council shall establish rates of pay for unclassified employees directly appointed by them (such as City Manager, City Attorney, City Clerk) on an annual basis.

E. LIBRARY:

The Library Director acts as an agent of the Library Board of Trustees to administer the personnel policy regarding persons employed at the library. Where appropriate, "Library Director" replaces "City Manager" language in the Manual.

1. The Library Board of Trustees employs a Library Director and by a two-thirds vote may remove the Director.
2. The Library Board of Trustees authorizes the Library Director to employ such assistants and employees as may be necessary for the proper management of the Library. The City Manager, or his/her designee, shall be notified in the event of pending employee disciplinary action or termination.
3. The Director shall maintain personnel records for each employee, including dates of employment and compensation. The Director shall be responsible for conducting employee evaluations annually. The Library Board of Trustees shall evaluate the Director annually and the results will be discussed at a regular Trustee meeting. The City of Grinnell shall be notified of changes to dates of employment and compensation of employees and shall be notified of any changes affecting the classification plan approved by the City Council.
4. The work schedule for library employees is determined by the Library Director or his/her designee.

SECTION 2. POSITION CLASSIFICATION PLAN:

The classification plan provides an inventory and description of all positions in the City.

No city employee shall be classified nor paid at a salary rate, which is not established and recognized in the city's classification and pay plan. All classifications shall be established by the City Manager and approved by the City Council.

A. DEFINITIONS:

- a. A position shall be defined as a unit of duties and responsibilities to be carried out by one employee, normally on a full-work-year basis.
- b. A classification shall be defined as the title given to all city positions having the same general type of work with relatively the same duties and level of responsibility.

B. ESTABLISHMENT OF NEW POSITIONS: Department Supervisor shall complete a position description covering duties and responsibilities of proposed positions. The proposal shall be submitted to the City Manager for review. The City Manager, after studying duties and responsibilities of the proposed position according to the description submitted or by field audit will determine if the position is appropriate and will then assign position to proper class.

C. ALLOCATION APPEALS: If an employee has facts which indicate their position is improperly classified, the employee may request a review by their supervisor. If the employee is unsatisfied with the supervisor's answer, the employee may request the City Manager's review. Any review request shall be submitted in writing and contain a statement of justification. A written notice of classification determination will be sent to current incumbent within 10 days after final determination. The final determination will not be subject to appeal.

D. FORMS OF CLASSIFICATION DETERMINATIONS:

1. NO CHANGE is when it is determined position is correctly classified.
2. A LATERAL RECLASSIFICATION is when it is determined a position should be reclassified to a classification having the same maximum salary.
3. AN UPWARD RECLASSIFICATION is when it is determined a position should be reclassified to a classification having a higher maximum salary.
4. A DOWNWARD RECLASSIFICATION is when it is determined a position should be reclassified to a classification having a lower maximum salary.

Incumbents in positions reclassified downward who remain in that position, shall be reduced to the lower classification immediately, but shall remain at their present salary rate, receiving no further upward salary adjustment until such time as the maximum salary for the new classification of the position equals or exceeds their salary on the date of the downward reclassification determination.

E. MAINTENANCE OF PLAN:

1. Each time a vacancy occurs, the City Manager shall review the allocation of the position. This analysis may be waived in cases where changes in the duties and responsibilities of a position have been unlikely.
2. Each time a department or division is reorganized, preliminary position descriptions for all affected employees shall be submitted by the Department Supervisor to the City Manager for approval.
3. The City Manager may require any department or employees to submit position descriptions on a periodic basis, or any time they have reason to believe there has been a change in duties and responsibilities of one or more positions.
4. Each time a new class is established, a class specification shall be written and

incorporated in the existing plan. Class title shall be added to the schematic list of titles. Likewise, an abolished class shall be deleted from the position classification plan by removing class specification and eliminating class title from the schematic list of titles.

5. The City Manager shall take necessary steps to keep the position classification plan in current status on a continuing basis, making use of the above procedures and any others they deem necessary.

F. INTERPRETATION OF CLASS SPECIFICATIONS: Class specifications are descriptive and not restrictive. They are intended to generally indicate kinds of activities performed by established classifications.

G. EMPLOYEES ACCESS TO PLAN: All regular employees will have access to a copy of the Employee Personnel Manual. Employees shall have access to the classification plan, pay plan, and personnel procedures provided these documents are inspected on the employees' own time.

SECTION 3. PAY PLAN:

The City Manager shall be responsible for presenting to the City Council a pay plan which shall consist of rates of pay for each classification as may be determined. Amendments to the pay plan may be recommended by the City Manager when changes in responsibility or work of classes, living costs, recruiting experience, prevailing rates of pay, City's financial condition and policies, or other pertinent conditions warrant such action. The City Manager shall submit such recommendations to the Council for their consideration and approval.

All employees in classified service shall be compensated in accordance with rates set forth of the salary grade to which positions of their class are assigned. Those employed in unclassified positions shall be paid at a rate established by the City Council for its appointees, and by City Manager for other employees.

A. DEFINITION OF THE PAY PLAN:

- a. **PAY SCHEDULES.** The pay of regular City employees shall be on the basis of appropriate established schedules of salaries for their respective classifications. An allocated salary rate may consist of an entrance rate, intermediate rates, and a maximum rate or flat rate depending on the nature of the needs of the classification. Salary rates prescribed are based on full time employment at normal working hours for respective position classes. Salaries of supervisory, professional, and administrative positions are fixed according to responsibilities to be fulfilled and are not based on a field number of hours of work per week and shall not be adjusted with variations in work schedules. All regular full time classified employees shall be paid salaries prescribed in the pay plan for their respective job classifications unless a variance is determined and approved.

b. SPECIAL SALARY PROVISIONS.

1. **RATE ADJUSTMENT AND HIGHER-LEVEL ASSIGNMENTS.** In any case where an employee is temporarily assigned in another position or positions to serve longer than 30 consecutive days, such employee shall receive a rate of pay commensurate with the employee's qualifications and experience, subject to the approval of the City Manager, but in no event shall the employee receive a rate of pay less than he/she currently receives.

An employee who voluntarily takes a position with a lower class grade or rate of pay immediately assumes the pay scale of the lower classification.

2. **MERIT PAY.** An employee who exhibits exceptional ability may be given a merit pay raise over and above the highest rate shown for their classification. Such an increase in salary must be recommended by the City Manager and approved by the City Council.

B. ADMINISTRATION OF PAY PLAN:

- a. **NEW APPOINTEES.** Generally new employees shall be paid minimum rate of pay for the class, i.e., rate paid for a new employee meeting the minimum qualifications. Exceptions may be granted upon prior written approval of the City Manager in the following cases:
 1. If it becomes necessary to appoint a new employee whose qualifications are less than the minimum qualifications established/expected for the position, the employee may be required to start below the minimum rate of the class or at a lower classification.
 2. If a new employee exceeds the minimum qualifications of the position, the employee may be appointed above the minimum salary rate.
- b. **PROMOTION.** When an employee is promoted to a position in a higher class, the employee's salary may be increased to the minimum rate for the higher class. In the case of overlapping ranges, the promoted employee shall be increased to the step immediately above the employee's present salary. Employees promoted or transferred will automatically commence a new trial period for the new position.
- c. **PAY SCHEDULE.** Pay schedule will be approved by the City Council and placed on file at City Hall. Non-salaried employees will be paid twice per month on the 15th and 31st or the last business day of the month.
- d. **LONGEVITY PAY:** Longevity pay will be paid to regular full-time employees as set out hereafter. Longevity pay will be based on years of seniority.

Longevity pay for employees will be \$0.10 per hour for each 5 years of service as shown in the following schedule:

Rate per Hour:	After years of continuous service employment:
\$0.10	5
\$0.20	10
\$0.30	15
\$0.40	20
\$0.50	25
\$0.60	30
\$0.70	35
\$0.80	40 or more

e. OVERTIME PAY:

1. Exempt employees will not receive overtime pay for hours worked in excess of 40 hours per work week. Exempt employees are required to be on the job until the work is completed. Hours worked in excess of 40 hours per week are non-accumulative and shall be considered a part of the regular work week.
2. Nonexempt employees, except as set forth below, will be paid 1.5 times their normal hourly rate for hours worked in excess of 40 hours per work week. Only hours actually worked will count as hours worked for the purpose of calculating overtime. All overtime must be assigned or approved by the Supervisor prior to working overtime.

The City departments, except Police and Fire, work week is 12 midnight Monday morning to 11:59 P.M. Sunday. Any time worked in excess of 40 hours during this work week shall be paid 1.5 times the employee's normal hourly rate. Normal hourly rate includes base wage, longevity and merit pay.

For Grinnell Fire Department the work period is 28 days beginning at 07:00 A.M. Monday morning through 6:59 A.M. Monday for a total of 212 hours worked per 28-day schedule. Nonexempt Fire Department employees are paid 1.5 times their normal hourly rate for hours worked in excess of 212 hours per 28-day schedule. Grinnell Fire Chief will schedule time off each cycle to avoid an employee from being scheduled more than 212 hours in the 28-day cycle. This will be referred to as Kelly Time.

For Grinnell Police Department the work period is 14 days beginning at 12 midnight Monday morning to 11:59 P.M. Sunday for a total of 84 hours worked (See current Police Collective Bargaining Agreement for details).

Compensatory time for nonexempt employees must be taken within the work period in which it was earned. If not taken during the work period earned, overtime will be paid under conditions outlined in this section.

The Public Services Department, Water Department and Wastewater Department employees (formerly covered by the PPME Union) are able to accumulate comp time in lieu of payment up to a maximum of 40 hours.

3. OVERTIME FOR HOLIDAYS.

If an employee is required or assigned by their supervisor to work on a holiday, he/she will be entitled to a corresponding day off at regular pay but shall receive 1.5 times their regular rate of pay for the hours worked on the holiday. Overtime for working on a holiday does not include Employee's Birthday or Personal Days. For all non-shift personnel, when a holiday occurs on a Saturday or Sunday the actual paid holiday is Friday or Monday and not the actual holiday. When a person must work the paid holiday of Friday or Monday, they are paid one and one half their normal rate plus additional hours off commensurate with the hours worked on the holiday, up to a maximum of eight hours. If a person works Saturday or Sunday, the employee will be paid the applicable rate of pay as appropriate.

For all shift personnel, the actual day of the holiday is the holiday for purposes of computing pay.

4. NON-PYRAMIDING

There will be no duplication or pyramiding in the computation of overtime and other premium wages. No employee will be paid more than once at a premium rate, or more than once for the same hours worked.

C. EMPLOYEE HIRING AND RETENTION INCENTIVE

- a. The City will provide a Hiring and Retention Incentive of up to \$10,000 to an individual who is newly-hired by the City into either the Certified Police Officer, Firefighter/Paramedic, or Water and Wastewater personnel with Grade 3 license classifications, or who have other skillsets determined by the City Manager to warrant this Hiring and Retention Incentive. This Hiring and Retention Incentive of up to \$10,000 is payable to qualifying employees as follows: \$4,000 immediately upon hire; \$2,000 after satisfactory completion of probation period or required field training; \$2,000 after completing one year of continuous employment with the City; and \$2,000 after completing two years of continuous employment with the City.
- b. The City will provide any other individual who is newly-hired by the City with an advanced educational degree (AA degree or higher) a Hiring and Retention Incentive payment of \$2,000 immediately upon their start of employment with the City.

SECTION 4. BENEFITS, VACATION, HOLIDAYS, TUITION, AND LEAVE OF ABSENCE:

A. MEDICAL INSURANCE.

The City will pay the cost of medical insurance for individual full-time employees under a group medical insurance plan. The plan will be selected by action of the City Council. Employees will be notified at least 10 working days prior to any change in insurance company or insurance coverage.

Employees shall have the option of insuring under this same plan their family or dependents and, if this option is exercised, the City shall pay seventy percent (70%) towards the increased premium required by family coverage. The City shall deduct from employees' monthly wages any balance over and above 70% per month contributed by the City towards family coverage.

If an employee retires from the City of Grinnell and provides a 30-day notice to the City of Grinnell, the provisions of Section 4 I[c] are applicable. The employee shall also have the option of using the equivalent amount of sick leave pay as described in Section 4 I[c] to pay for continuing health insurance premiums if said employee is eligible for said insurance under COBRA continuation coverage, or until age 65 as set out in the Iowa Code Chapter 509A.13. The City shall not be required to pay for health insurance premiums except as required under COBRA or Chapter 509A.13 of the Iowa Code. If the employee dies or reaches the age of 65 before the full amount in the fund has been used for medical insurance premiums, the balance of the fund shall revert to a beneficiary as designated by the employee. Medical insurance payments shall be issued only to the company that is selected by the City of Grinnell as the Employer's Plan and shall be determined to be the same option (individual or family) as held by the employee on the date of termination of service.

B. LIFE INSURANCE.

The City will provide a term life insurance policy with a death benefit of \$20,000 for individual full-time employees under a group life insurance plan as approved by the City Council. Employees will be notified at least 10 working days prior to any change in insurance company or insurance coverage.

C. UNIFORMS.

A clean uniform, in good repair, must be worn during working hours. It is important for employees to present a professional business-like image to the public.

The City will issue an initial uniform and equipment to newly hired full-time employees who are required to wear uniforms after 90 days of employment. The style and type of uniform issued will be determined by the City. Employees are allowed a yearly amount for replacement of uniforms as established by the City. If the cost to replace the uniform exceeds the annual amount established by the City, the employee will be responsible for the additional.

Shorts of a style approved by the City may be worn at the discretion of the Supervisor, as weather dictates.

D. CLOTHING ALLOWANCE

1. WATER, WASTEWATER, CEMETERY, PARKS AND STREET DEPARTMENTS:

After employment of 90 days, each full-time employee shall be allocated \$200 per fiscal year to be used for the replacement of work-related clothes, clothing purchased by the City, or to reimburse the employee for the purchase of jeans (up to the \$30 maximum specified in the

paragraph below). If an employee works in two departments, they only receive the allowance for one full-time employee.

Employees may purchase jeans but are limited to \$30 maximum reimbursement amount. They must provide a receipt to the city offices in order to receive reimbursement. Sales tax will not be reimbursed.

2. ADMINISTRATIVE, RECREATION, PUBLIC SERVICES AND POLICE OFFICE PERSONNEL:

After employment of 90 days, each full-time employee shall receive \$200 per fiscal year to be used for the replacement of work-related clothes and for clothing purchased by the city.

Permanent part-time office personnel shall receive \$100 per fiscal year to be used for the replacement of work-related clothes and for clothing purchased by the city. They must be employed by the city for 90 days before being eligible.

The city shall pay the cost of placing the CITY OF GRINNELL logo emblem and the employee's name on the clothing.

All purchases of clothing must be approved by the City Manager or Department Supervisor. All clothing orders will be placed through the administrative offices with the exception of the police and fire departments. All clothing orders shall be paid directly for by the city unless the employee goes over their allowable amount. Then the employee will be required to provide payment to the administrative offices.

No carryover amounts are allowed.

No employee shall be paid directly by the city for any unused clothing allowance for any reason.

No newly hired employee shall be eligible for the clothing allowance until said employee has completed ninety (90) days of employment.

E. SAFETY EQUIPMENT

Employer is required to provide safety equipment needed.

If an employee is required to wear safety shoes, they may receive a reimbursement up to \$125.00 per fiscal year.

F. RESIDENCE – HOUSING STIPEND

Effective January 1, 2019, a full-time employee will be entitled to a \$2,000.00 housing stipend provided the employee both owns and resides at a residence within the corporate city limits of Grinnell. A full-time employee renting within the corporate city limits of Grinnell will be entitled to a \$1,000.00 housing stipend. All employees must own or rent and reside within the city limits for an entire calendar year in order to receive the stipend.

There will not be any prorating of the benefit. To receive the stipend, the employee must present satisfactory proof of ownership and/or residency.

G. VACATIONS.

All regular full-time and part-time employees working the requisite minimum hours of work shall be granted vacation with pay as set forth in this section. (For definition of regular part-time and regular full-time employees see Section 5). If a change is made in employee's hourly work week, the Payroll Clerk will make the respective change in vacation hours earned only after proper documentation is received on forms authorized by the City.

a. VACATION TIME ALLOWED.

Vacation time for full-time employees shall be based on the following service requirements:

<u>Continuous Service Requirement</u>	<u>Vacation Time</u>
After completion of 90 day probationary period	80 hours
After one calendar year	80 hours
After seven consecutive calendar years	120 hours
After fifteen consecutive calendar years	160 hours
After twenty-five consecutive calendar years	200 hours

A vacation day shall be considered to be the number of hours an employee would normally work during a normal workday for part-time employees.

For Grinnell Fire Department Personnel assigned to 24-hour shifts vacations shall be as follows:

<u>Continuous Service Requirement</u>	<u>Vacation Time</u>
After completion of 90 day probationary period	106 hours
After one calendar year	106 hours
After seven consecutive calendar years	159 hours
After fifteen consecutive calendar years	212 hours
After twenty-five consecutive calendar years	265 hours

b. VACATION - WHEN TO BE TAKEN.

Vacation must be taken within the year for which it was earned. Vacation not used within one year may be forfeited unless the employee has been denied vacation time because of departmental emergency or convenience.

c. VACATION - WHEN ALLOWED, SCHEDULING AND PREFERENCE.

Vacation shall be scheduled as far in advance as possible. Scheduling of vacation will be set by departmental rule. In the event more employees than allowable wish to schedule vacation during the same time period, those with the most seniority shall have the preference. Vacation days shall not be taken in increments of less than one hour.

d. RESIGNATION FROM CITY.

All employees shall give thirty (30) days written notice prior to leaving City employment in order to be eligible for payout of any accrued vacation time. Failure to give such notice will forfeit all vacation earned.

An employee shall use no more than one week of vacation or leave during their notice period. Accrued vacation time and floating holidays shall not be used to extend an employee's last day of employment or benefits. An employee's last day shall be their last actual work day.

All other benefit accruals that are eligible to be paid out will be paid to the employee in his/her final pay check.

e. LOSS OF VACATION.

Any employee who is discharged because of unsatisfactory work or disciplinary reasons shall forfeit all accrued vacation.

H. HOLIDAYS.

GENERAL. Employees shall receive the following designated holidays:

- | | |
|--------------------------------------|------------------------------|
| New Year's Day | Memorial Day |
| Independence Day | Labor Day |
| Thanksgiving Day | Christmas Eve (4 hours) |
| Day After Thanksgiving | New Year's Eve Day (4 hours) |
| Christmas Day | Employee's Birthday |
| Three Personal Days (24 hours total) | |

PUBLIC SERVICES, WATER, AND WASTEWATER DEPARTMENT HOLIDAYS (all employees formerly covered by PPME contract):

- | | |
|-------------------------------------|------------------------------|
| New Year's Day | Memorial Day |
| Independence Day | Labor Day |
| Thanksgiving Day | Christmas Eve (4 hours) |
| Christmas Day | New Year's Eve Day (4 hours) |
| Four Personal Days (32 hours total) | Employee's Birthday |

LIBRARY HOLIDAYS:

- | | |
|------------------|-------------------------------------|
| New Year's Day | Memorial Day |
| Independence Day | Labor Day |
| Thanksgiving Day | Christmas Eve Day |
| Christmas Day | Five Personal Days (40 hours total) |

Employee's Birthday holiday must be used within 30 days of the employee's actual birthday. If the employee does not take it within the applicable 30-day period he/she

will lose the birthday holiday. Overtime worked for holidays does not apply to Employee's Birthday or Personal Days.

Employees who are hired before July 1 of any year shall be granted the number of Personal Days for the remainder of the fiscal year, as follows:

- 9 months and more before end of current Fiscal Year = 3 days
- 6 to 9 months before end of current Fiscal Year = 2 days
- 3 to 6 months before end of current Fiscal Year = 1 day
- Less than 3 months before end of current Fiscal Year = 0 days

Grinnell Fire Department Personnel on 24-hour shifts who are hired before July 1 of any year shall be granted the number of Personal Days for the remainder of the fiscal year, as follows:

- 9 months and more before end of current Fiscal Year = 24 hours
- 6 to 9 months before end of current Fiscal Year = 16 hours
- 3 to 6 months before end of current Fiscal Year = 8 hours
- Less than 3 months before end of current Fiscal Year = 0 hours

Library employees who are hired before July 1 of any year shall be granted the number of Personal Days for the remainder of the fiscal year, as follows:

- 9 months and more before end of current Fiscal Year= 5 days
- 6 to 9 months before end of current Fiscal Year= 3 days
- 3 to 6 months before end of current Fiscal Year= 1 day
- Less than 3 months before end of current Fiscal Year= 0 days

When any of the named holidays occurs on a Sunday, the leave shall be granted on the following Monday; and if any of the named holidays falls on a Saturday, the leave shall be granted on the preceding Friday. Holiday allowance will not be paid when an employee is absent on either scheduled work day immediately preceding or following the holiday, unless such absences are excused.

If the holiday falls on a day the employee is on vacation leave, the day will count as a holiday, not a vacation day.

EXCEPTIONS: It is recognized that because of the constant nature of the work involved with fire fighters and police sergeants, such employees' shift schedules cannot be modified or shortened to ensure each employee can take off every holiday that occurs during the year. In consideration of the foregoing, all of the fire fighters and police sergeants shall be entitled to twelve (12) extra days (8 hours per day) leave of absence at their regular rate of pay.

If required to work on a holiday itself, the listed fire fighter employee shall be paid at one and one-half (1 ½) times the regular rate of pay for a holiday worked.

I. SICK LEAVE.

As used in this section, a "regular employee" is a full-time or permanent part-time employee who has completed a trial period.

- a. **GENERAL.** A regular employee of the City shall begin accruing sick leave upon completion of three (3) months at the rate of one day [eight (8) hours for 24-hour shift firefighters] at the end of each succeeding month, with no limits on accumulation of number of sick leave days. New hire firefighters on 24-hour shifts will receive their first year of sick leave up front and will not accumulate any more sick leave until the start of their second year of employment.

Sick leave may be used for medical exams and consultations with physicians.

When an employee cannot report for work, they or some responsible member of their family must notify the employee's department head immediately. Failure to do so may be cause for denial of sick leave pay. Each department will determine the length of time prior to reporting for work that an employee must notify their supervisor. The employee may be required to furnish proof of sickness from the employee's physician or a physician chosen by the City.

- b. **SICK LEAVE FOR FAMILY.** In case of serious illness, injury or disability to a member of an employee's immediate family (spouse, person they may hold themselves as married to, child, stepchild or parent) residing at the employee's home, or minor aged children or stepchildren, a regular employee may be granted leave with approval of the City Manager, chargeable against the employee's regular sick leave, not to exceed three (3) days in any one (1) calendar year.
- c. **UNUSED SICK LEAVE AT TERMINATION OF EMPLOYMENT.** If an employee of the City terminates employment by giving proper thirty (30) day written notice or by retirement after a thirty (30) day written notice and such employee has accumulated unused sick leave in any amount up to ninety (90) days, such employee shall be paid in a lump sum or by monthly payments, at the City's option, for unused sick leave. Rate of pay for unused sick leave will be 50% the regular rate of pay the employee is receiving at the time of termination.

An employee shall have the option of using the equivalent amount of sick leave pay, as described, to pay for continuing health insurance premiums if said employee retires and is eligible for said insurance under COBRA continuation coverage, or until age 65 as set out in the Iowa Code Chapter 509A.13. The city shall not be required to pay for health insurance premiums beyond the time provided under COBRA or Chapter 509A.13 of the Iowa Code. If the employee dies or reaches the age of 65 before the full amount in the fund has been used for medical insurance premiums, the balance of the fund shall revert to the employee or a beneficiary as designated by the employee. Medical insurance payments shall be issued only to the company that is selected by the City of Grinnell as the Employer's Plan and shall be determined to be the same option (individual or family) as held by the employee on the date of termination of service.

J. **PREGNANCY LEAVE:** Depending on an employee's length of service to the City and the number of hours that the employee has worked in a twelve-month period, pregnancy leave may be available under the provisions of the FMLA leave provided in Section 10. If an employee is not eligible for FMLA, the Iowa Civil Rights Act requires employers to grant unpaid leave to employees who are temporarily disabled because of pregnancy or related medical conditions, even if similar leaves are not granted for other temporary disabilities, and even if the leave is not available to the employee under any health, temporary disability, or sick leave plan. Unpaid pregnancy leave is allowed for up to eight (8) weeks or the period of temporary disability, whichever is shorter. The employee may use accumulated paid sick leave, vacation, and personal days during the leave. Pregnancy leave shall run concurrently with FMLA leave, if applicable. The department head may require medical certification stating that the employee is not able to perform the duties of employment.

K. **FUNERALS:** Employees may be allowed time off with pay for funerals according to the following schedule:

- up to five (5) days due to death of employee's spouse, or person they hold themselves married to; or their children;
- up to three (3) days due to the death of grandparents, parents, grandchildren, brothers or sisters, step-children, step-parents or step-grandparents of employee, employee's spouse, or person employee holds themselves married to;
- up to one (1) day to attend a funeral of a close relative (limited to aunt, uncle, niece, nephew or first cousin);
- up to one-half (1/2) day to participate in a funeral service (casket bearer), for funerals held within 30 miles of the Public Safety Building and up to one (1) day to participate in a funeral service (casket bearer) for funerals outside of the 30 miles of the Public Safety Building.
- up to two (2) hours to attend other funerals which employee feels a need to attend.

Firefighters assigned to the 24-hour schedule may be allowed time off with pay for funerals according to the following schedule:

- up to three (3) shifts due to death of employee's spouse, or person they hold themselves married to; or their children;
- up to two (2) shifts due to the death of the grandparents, parents, grandchildren, brothers or sisters, or step-children, step-parents or step-grandparents of employee, employee's spouse, or person employee holds themselves married to;
- up to one (1) shift to attend a funeral of a close relative (limited to aunt, uncle, or cousin);
- up to four (4) hours to participate in a funeral service (casket barrier), for funerals held within 30 miles of the Public Safety Building and up to eight (8) hours to participate in a funeral service (casket bearer) for funerals held outside of the 30 miles of Public Safety Building;
- up to two (2) hours to attend other funerals which employee feels a need to attend.

To be eligible for paid funeral leave, the employee must attend the funeral. The employee shall attach a "memorial program" to the daily time ticket of the day where leave was taken showing participation in the funeral service.

Arrangements should be made in advance with your department head. You must state

relationship or reason absent on absence card. Abuse of the above privileges shall be cause for dismissal. In order to receive funeral leave with pay benefits, the employee must actually attend the funeral. In addition, if a funeral occurs on a day when the employee is not assigned or scheduled to work, no funeral leave with pay benefits are awarded for that day or those days.

In cases where an employee is absent from the job due to vacation or Family Medical Leave, and funeral leave for a family member is requested, the employee may adjust the leave to show that funeral leave was taken. The Memorial Program shall be submitted to the Supervisor and the adjustment will be made to the employee's vacation leave or (to the appropriate leave if Federal Family Medical Leave is listed as the reason for the employee to be away from the job.) An employee that is on unpaid leave shall not be eligible for paid funeral leave.

"Family Member" is defined as: spouse, person the employee holds themselves as married to, parent, child, sister, brother, grandparent, grandchild. Vacation or Family Medical Leave will only be adjusted for the above "family member".

- L. JURY DUTY:** Any full-time employee who is selected for jury duty shall receive a paid leave of absence for the time they spend on such duty. The employee may be required to either return to the City the amount of jury duty pay, or they may receive from the City only the difference between their regular pay and their jury duty compensation.
- M. MILITARY DUTY:** City employees will be allowed time off with pay as provided by state or federal law. The city shall comply with the statute granting leave of absence for military leave in accordance with the provisions of Section 29A.28, the Code of Iowa, as the same may be amended from time-to-time. Any employee, when ordered by proper authority to active state or federal service, is entitled to a leave of absence from the city for the period of such active state or federal service, without loss of status or efficiency rating.
- N. VOTING LEAVE:** The City encourages all employees to fulfill their civic responsibilities and to vote in all official public elections. Generally, your working hours are such that you will have ample time to cast your vote before or after working hours. However, if you do not have three consecutive nonworking hours between the opening and closing of polls in which to vote, you may submit a written request to your supervisor as soon as possible before the election for paid time off of up to three hours to vote. Your department head will notify you of the time you will be allowed to vote.
- O. TUITION BENEFIT:** The City recognizes that some positions would be better enhanced and be of greater benefit to the City if additional advanced education was provided. The policy for financial assistance for academic training sets forth the conditions and procedures whereby regular full-time employees who have enhanced their value to the city through academic instruction may be reimbursed by the City for a portion of their educational expense.

To qualify under this policy, the course or courses shall meet the following criteria:

- a. Relate directly to the employee's current job duties: or if the employee is seeking a degree or certificate directly related to his/her current job or job within the city to which he/she is reasonably likely to be promoted. To qualify, electives must be preceded by significant

work in core courses.

- b. Accrue credit toward a high school diploma or equivalency certificate, or toward an associate or bachelor's degree at an accredited institution. It is not necessary that an employee intend to pursue the entire course of studies leading to the certificate or degree.
- c. All classes where an employee intends to request reimbursement must be approved by the City Manager prior to enrollment.
- d. Schedule of classes must not interfere with regular work schedule.

The amount of the City's tuition reimbursement will be capped at the present tuition cost at the University of Iowa.

The City will reimburse at the following rate for classes:

- Tuition reimbursement is as follows:

For classes pertaining directly to the job and approved by the City Manager prior to any request for payment:

65% for "A" grade
55% for "B" grade
No payment for "C" grade or less or incomplete.

For classes needed for a job-related degree, but not job-related course work:

50% for "A" grade
40% for "B" grade
No payment for "C" grade or less or incomplete.

- Book expenses would be reimbursed at 50% for "A" or "B" grades and no reimbursement for grades less than "B".

Mileage and other education expenses incurred by the employee will not be reimbursed by the City.

P. FLEXIBLE BENEFIT PLAN. All regular full-time employees not eligible for coverage as provided by a collective bargaining agreement may participate in the Flexible Benefit Plan established by the City. The contributions to the plan will be made 100% by the employee and will be deducted pre-tax or non-pre-tax as the programs regulate in equal installments from the employee's paycheck. Employees are not eligible for reimbursement of unused flex dollars.

As part of the Flexible Benefit Plan the city may offer several other voluntary programs for consideration by the employees at the employee cost. Programs will be determined by the employer.

Q. 457 RETIREMENT PLAN. All employees not covered by a collective bargaining agreement may participate in the City's 457 Retirement Plan. The contributions to the plan will be made 100% by the employee and will be deducted pre-tax, as the program regulates, in equal installments from the employee's paycheck.

R. CDL TRAINING EXPENSES. The City will pay the applicable training expenses of an Employee who is seeking to acquire a Commercial Driver's License (CDL) that is necessary to perform the duties of their position. While attending the training, Employees will be paid their regular wages and will not be required to take paid or unpaid leave. In order to qualify for this opportunity, the Employee will be required to reimburse the City for the applicable training expenses if they separate from employment within two (2) years after the Employee has completed the training and has received their CDL.

S. RELOCATION INCENTIVE. The City will pay a \$2,000 relocation incentive to newly-hired City employees who relocate for employment with the City and establish a bona fide residence in the city limits of the City of Grinnell within 180 days of their start of City employment.

T. EMPLOYEE REFERRAL INCENTIVE. The City will pay an Employee Referral Incentive to a staff member as follows:

- a. A staff member who refers a successfully hired candidate with less than one (1) year of prior relevant job experience will receive an incentive payment of \$500 when that individual begins work as a City employee and an additional incentive payment of \$500 after that individual successfully completes one (1) year of employment with the City. In order for the staff member to be eligible for this incentive, the referral must be noted on the candidate's job application.
- b. A staff member who refers a successfully hired candidate with one (1) year or more of prior relevant job experience will receive an incentive payment of \$1,000 when that individual begins work as a City employee and an additional incentive payment of \$1,000 after that individual successfully completes one (1) year of employment with the City. In order for the staff member to be eligible for this incentive, the referral must be noted on the candidate's job application.

SECTION 5. GENERAL EMPLOYMENT POLICIES:

A. POLICY: It shall be the policy of the City of Grinnell to fill each position in the City with the best available qualified person in accordance with state and federal law.

B. NOTIFICATION OF POSITION VACANCIES: All regular job openings, including part-time, except emergency vacancies, shall be posted in the same manner as the City Council Agenda. A copy of all job postings shall be given to the respective Department Superintendent. Job postings shall be posted for at least ten calendar days before being permanently filled, but job duties may be assigned in the interim to other employees to maintain a continuity of operations and services.

In the event of a job opening, the position will be filled by the most qualified person.

C. LAY-OFF:

An employee may be laid off due to lack of work, efficiency of operations, lack of funding or other factors deemed relevant by the City.

a. LIMITATIONS TO DEPARTMENTS INVOLVED AND ORDER OF LAY-OFF.

In the event of layoff, such reductions in force shall be limited to the department involved and shall be made in the following order. The order within each designated category shall be determined by the department superintendent's evaluation of the employee's relative value toward coping with remaining work load of the department, giving consideration to classification and length and quality of City and departmental service:

1. Volunteers for lay-off.
2. Temporary part-time employees.
3. Temporary full-time employees.
4. Regular part-time employees who have completed a trial period.
5. Full-time employees serving a trial period.
6. Regular full-time employees.
7. There are times when hiring a part-time employee may be necessary to reduce costs associated with full-time/benefits.

Employees who have been promoted, but who are serving a promotional trial period at the time of such reduction in force, shall be considered as holding a position in the highest classification in which they have completed the probationary period.

b. NOTICE TO EMPLOYEES: Employees to be laid off will be given reasonable notice of the layoff and the necessity to reduce the work force.

c. CALL-BACK: Employees shall be returned to work in the reverse order in which they were laid off (last out/first in).

D. SUPPLEMENTAL EMPLOYMENT: An employee working in any position in addition to their full-time position with the City must notify department head or City Manager of outside employment. Outside employment shall be subject to the following conditions:

1. It must not interfere with the employee's effectiveness in performing their duties for the City.
2. It must not leave the employee tired or subject to injury.
3. It shall not be a conflict of interest with the City employment or interfere with response to any City emergency calls.
4. It must not cause adverse publicity to the City employee or the employer.

E. SENIORITY AND IMPACT OF SENIORITY: Seniority is defined as the length of continuous service with the City since the most recent date of hire to a full-time regular position. Seniority shall begin on the day of employment but shall not apply until the probationary period has been completed.

- a. **TERMINATION OF SENIORITY AND EMPLOYMENT:** Employee's employment with the City shall cease and his/her seniority canceled if:
 - 1. The employee resigns.
 - 2. The employee is discharged.
 - 3. The employee is absent from work for three days without notifying the employer.
 - 4. If the employee fails to give two weeks notification of intent to return to work at the expiration of a leave of absence, or if employee does not request and receive a written extension of leave of absence. (This shall not be interpreted to allow a grace period of three days after leave of absence.)
 - 5. The employee gives a false reason for a leave of absence.

- b. **ACCRUE SENIORITY:** An employee shall accrue seniority while absent because of injuries covered by the Worker's Compensation Act.

- c. **EFFECT OF SENIORITY:** Upon successful completion of a trial period, the employee gains a seniority date in the employee's classification allowing employee:
 - 1. **REASSIGNMENT, TRANSFER, PROMOTION:** Additional consideration for job reassignments, transfers, promotions.

 - 2. **VACATION AND LEAVE:** Primary consideration in scheduling vacations and/or other leaves.

 - 3. **LAY-OFF AND RECALL:** Additional consideration in case of a lay-off situation, and prime consideration for recall to work.

- F. **TRIAL PERIOD:** Each employee shall serve a trial period of 12 months. Upon completion of a trial period, the employee will be entitled to all rights and privileges granted all other comparably situated employees and their term of employment will start as of their employment date.

- G. **EMPLOYMENT OF RELATIVES:** It is the general policy of the City to avoid hiring relatives of present employees. No person shall be employed, promoted, or transferred to a department of the City or to a division, when as a result they would be working in the same place or in contact with a relative or would be supervising or receiving supervision from a relative as defined below.

Relatives, for the purpose of this section, are defined as the employee's spouse, person they may hold themselves as married to, children, step-children, mother, father, mother-in-law, father-in-law, brother, sister, brother-in-law, sister-in-law, grandparents, grandchildren, uncles, aunts, nieces, nephews, and first cousins.

Persons who are employed by the City at the date of adoption of this policy are to be considered exempt from this policy so long as they remain in the continuous employment of the City, or if a seasonal employee so long as they return to the same employment next season. Any exception to this policy can be granted by the City Manager and will be done so in writing and placed in the appropriate personnel files.

H. **REGULAR PART-TIME EMPLOYEES:** A regular part-time employee is one who is regularly scheduled to work less than 2,080 hours per year and more than 1,040 hours per year. Regular part-time employees are only eligible for sick leave, vacation and holiday benefits on a prorated basis. They are subject to the same work rules governing full-time employees.

I. **TEMPORARY EMPLOYEES:** A temporary employee is one who is hired in a temporary capacity to perform seasonal work or to assist in a special or temporary project. A temporary employee may be scheduled to work any number of hours up to four months. After four months the City Manager will review the position to determine if it should be a regular position or eliminated.

A temporary employee will not be eligible for sick leave, vacation, holiday benefits, insurance, or any other fringe benefits normally associated with regular employees.

Temporary employees shall be employed at hourly rates established and approved by the City Manager. Employees may be advanced in pay, based upon satisfactory service, to higher salary rates established by the City Manager and consistent with established pay ranges.

J. **REGULAR FULL-TIME EMPLOYEES:** A regular full-time employee is one who is scheduled to work a minimum of 2,080 hours per year. They can be paid an hourly or a monthly wage. Full-time employees are eligible for all benefits.

J. **DEMOTIONS AND DOWNWARD RE-CLASSIFICATIONS:** When an employee is demoted to a position that is a lower job classification, the employee shall be paid at a rate which is within the approved range for the lower-level position. If an employee demotes to a classification carrying a lower range of pay than the employee is currently earning, the rate of pay shall be at the highest rate of pay for the position that is a lower job classification.

L. **PHYSICAL EXAMINATION PRE-REQUISITE TO EMPLOYMENT:** Post-offer medical examinations are required only for those positions in which there is a bona fide job-related physical requirement. They are given to all persons entering the position, including temporary and seasonal employees, only after conditional job offers are extended. These employment physicals directed by the City will be at the City's expense. Temporary and seasonal employees may be administered physicals as deemed necessary by the City.

M. **BACKGROUND CHECK:** The City will require prospective full-time and permanent part-time employees to have a background investigation completed prior to employment. In addition, at any time during employment, additional background checks may be made for current employees if appropriate and job related. The City also reserves the right to conduct a background check for current employees to determine their eligibility for job promotion or reassignment.

N. **NOTIFICATION OF ARRESTS AND OTHER GOVERNMENTAL ACTION:** Employees are expected to perform their assigned jobs, respect and follow City policies, and obey the law. In the event that employees are arrested or receive a citation for any crime, have any criminal charges filed against them, receive notice of the disposition of any criminal

charges pending against them (including, but not limited to, a conviction, a guilty plea, a plea of nolo contendere (no contest), or deferred judgment) or receive notice of any charges relating to operating a motor vehicle while intoxicated, they must notify the City Clerk. Notification to the City Clerk must occur within five (5) business days of notification to the employee. Employees whose duties require possession of a Commercial Driver's License and/or who regularly and frequently operate City vehicles must report all charges and citations, including traffic tickets such as speeding tickets. Information relating to arrests and criminal charges will be treated as confidential and maintained as part of the employee's personnel file. Employees who do not notify the City as required by this policy may be subject to disciplinary action up to and including termination.

O. **RESIDENCY REQUIREMENTS:** Department heads must reside no greater than fifteen (15) miles from the Public Safety Building to the employee's property line within one year from the date of hire.

P. **FITNESS FOR DUTY EVALUATION:** An employee may be required to undergo a fitness for duty evaluation if the evaluation is job related and consistent with business necessity.

Q. **RETIREMENT:** Persons retiring prior to age 65 will receive such benefits as specified by State or Federal law. Employees who are covered by the Iowa Public Employees' Retirement System shall be eligible for retirement benefits as established by that system.

R. **EMERGENCY CALL:** All City employees are subject to respond to an emergency call when needed. Failure to respond to an emergency call may be cause for disciplinary action, up to and including termination.

S. **WORKPLACE PRIVACY AND SEARCHES:**

As part of employment, an office, desk, workspace, locker, vehicle, equipment, computer or cell phone may be made available to employees. These are property of the City. Because these are City property and not the employee's personal property, they are subject to being inspected by the City at any time, with or without notice to employees.

The City assumes no responsibility or liability for any items of personal property which are placed in any space that is assigned to an employee.

If the City conducts an examination or inspection under the terms of this policy, there will be at least two (2) members of management present at the time of the examination or inspection.

T. **RETURN OF CITY PROPERTY:** An employee leaving City employment for any reason is responsible for returning any City property which the employee has in his/her possession. Failure to return City property may subject the employee to all legal remedies available to the City.

U. **BREAK:** Breaks for employees may be granted as determined by the Supervisor or other controlling agreement.

V. **PERSONAL USE OF CITY EQUIPMENT AND PROPERTY:** City employees shall not use City equipment or property for personal purposes.

W. OPERATION OF MOTOR VEHICLE: All employees, whether full-time, part-time, seasonal, or temporary, must be in possession of an appropriate driver's license and must be insurable as set by the standards of the City's insurance carrier. Individuals determined not to be insurable by the City's insurance carrier may not be considered for continued employment if their duties require operation of a motor vehicle or equipment. Smoking is prohibited in city-owned vehicles.

X. USE OF TOBACCO, NICOTINE PRODUCTS, AND VAPORIZERS PROHIBITED. All new hires effective July 20, 2009, shall be prohibited from smoking and the use of tobacco products or electronic smoking devices at any time. Individuals using these products are not eligible for hire in any position with the city. Any employee that violates this policy is subject to termination. Employees may not possess or bring tobacco products or electronic smoking devices onto City property.

All city employees employed prior to July 20, 2009, shall use these products off city property during authorized city breaks only. Use of these products shall not be allowed during any other time of the employees' work day.

SECTION 6. EMPLOYEE CONDUCT AND RELATIONS:

A. MANAGEMENT-EMPLOYEE COOPERATION: Management and employees work toward the same goal. That goal is to bring efficient and economical municipal services to citizens of Grinnell. This can only be achieved by management-employee cooperation.

City Manager and all department supervisors will give due consideration to employee suggestions concerning methods by which efficiency and economy of municipal services can be improved. The City Manager may set up a system for receipt, acknowledgement, recording, and action on suggestions of employees for improving City services.

B. CHANGE OF ADDRESS: Employees are required to notify the department supervisor promptly of any change of address, telephone number, or change in marital status, so that proper COBRA notification may be given and so that employees may be effectively contacted by telephone or mail.

C. PECUNIARY INTEREST/CONFLICT OF INTEREST: No employee of the City shall have financial interest, direct or indirect, in any contract with the City, or be financially interested directly or indirectly in the sale to the City of land, materials, supplies, or services, except on behalf of the City as an employee. Non-salaried Board and Commission Members are exempt from such provisions in those cases where work is done on a competitive bid basis and the contract is not one involving directly or indirectly the work of the Board or Commission upon which the officer serves.

D. IMPROPER POLITICAL ACTIVITY: No persons holding an office, or employed in City service, except persons duly appointed to City Boards, Commissions, and committees, or persons elected to the City Council, shall:

1. Be provided with a leave of absence without pay subject to Chapter 400 of the Iowa Code.

2. Solicit any monetary contribution to campaign funds or make any monetary contribution to any municipal political campaign or to the campaign of any candidate for municipal office.
3. Take any active part in a municipal political campaign during work hours.

E. RULES GOVERNING CLAIMS FOR PERSONAL EXPENSE INCURRED IN OFFICIAL CONDUCT OF CITY BUSINESS:

1. Those Eligible for Reimbursement: Council Members, appointed officials, employees, and agents of the City shall be reimbursed for necessary personal expenses incurred in conduct of City business in accordance with these rules and regulations. The following definitions shall be in effect for purposes of expense reimbursement:
 - a. Council Members are those individuals elected to the City Council of Grinnell.
 - b. Appointed officials are those individuals appointed to Boards and Commissions, or employees appointed directly by the City Council.
 - c. Employees are those individuals appointed and listed on the regular payroll of the City.
 - d. Agents of the City are those individuals retained on a fee basis or special appointment to perform valuable acts on behalf of the City. City Council shall designate such agents prior to expense approval.
2. Rules and Regulations. Council Members, appointed officials, employees, and agents claiming expenses shall properly document and receipt, whenever practicable, all actual expenses. The following guidelines shall be followed:
 - a. Prior approval of the City Manager, or the designated representative, is required for all personal expenses inside or outside City limits.
 - b. Eligible expense: mileage, transportation, food, lodging, etc., shall be itemized and claimed on forms provided.
 - c. Personal automobile: A City-owned vehicle shall be used to conduct City business when available. But when a personal automobile is used for transportation related to City business, actual mileage shall be compensated for at the allowable rate established by the IRS. This rate is regularly reviewed and adjusted based on IRS guidelines. Prior approval of the City Manager is required for use of a personal automobile to conduct City business. Private use of public vehicles is forbidden by state law.

Proof of insurance is required of all employees using their personal vehicle for City business.

Safety belts must be properly worn at all times in both City-owned vehicles and

when using privately owned vehicles for City business. Safety belt usage is Iowa law as well as a policy of the City of Grinnell. Failure to comply with these rules is a violation of City safety policies, which is cause for disciplinary action, up to and including discharge.

A. Reporting of Tickets for Moving Violations. All employees who operate a City vehicle, or use their own vehicle on City business, and who receive a moving violation, shall notify the City of such citation. Notification must be made within 5 days after the date that the person receives the citation.

d. Public transportation: receipts for public transportation (bus, rail, air) expenses incurred for City business must be provided for reimbursement. Whenever possible, the mode of transportation selected shall be the most economical available to provide necessary connections and to accommodate meeting schedules. Class of such transportation shall be coach or tourist rather than first or business class, unless prior authorization is obtained from the City Manager. Expense for rental of automobiles will not be reimbursed unless prior approval is obtained from the City Manager.

e. Meals: Meals while traveling for City business will be reimbursed based on actual and reasonable costs. In order to be eligible for reimbursement of meals, the employee must present an **itemized receipt**. The City may use federal General Services Administration (<http://www.gsa.gov/mie>) per diem rates to establish reimbursement rates, but is not required to do so.

f. Lodging: Employee lodging while traveling for City business will be reimbursed for actual cost; however, if a non-work companion is sharing lodging actual expenses shall be reduced for purposes of reimbursement. An employee must present a receipt in order to be eligible for reimbursement of lodging.

g. Personal Expense While in a City: Employee travel and expenses incurred relating to official City business not requiring travel outside the City may be reimbursed with prior authorization from the City Manager.

h. Payment for Expenses: expense form statements shall be properly completed and signed by the employee and appropriate department supervisor prior to submission to the City Manager. To receive proper consideration expense request must be received by the City Manager prior to the 25th of the month.

F. IOWA ETHICS AND GIFT LAW:

With the exception of food and drink and non-monetary items with a value of Three Dollars (\$3.00) or less, public officials, public employees, and that person's immediate family members (defined as spouse and dependent children) shall not directly or indirectly accept or receive any gift or series of gifts from a party doing or potentially doing business with the City.

Acceptance is forbidden unless the item is available without charge to the general public. The law currently provides for exceptions from the gift prohibition. Refer to Section 68B.22 Code of Iowa for additional information.

- G. **VIOLATIONS OF CHAPTER 321, CODE OF IOWA:** Any City employee, while operating a City-owned vehicle, who is found in violation of provisions in Chapter 321, Code of Iowa, Motor Vehicle and Law of the Road, shall be responsible for any penalties assessed for violations, in addition to any further discipline that may be deemed appropriate for the offense.

SECTION 7. SAFETY AND HEALTH.

- A. **LAWS AND FAILURE TO COMPLY:** All employees shall comply with State and Federal laws governing Safety and Health. Failure of any employee to comply shall be cause for disciplinary action, up to and including discharge.

Safety seminars and meetings will be held when appropriate.

SECTION 8. DISCIPLINARY POLICY:

The City expects certain standards of behavior from its employees. The standards are intended for the protection and welfare of the City and its citizens. Such standards and work rules are necessary so that the City can conduct its daily business in a consistent and orderly manner. The City will make efforts to uniformly and fairly enforce its rules/standards. Violation of these standards may, at the City's discretion, subject an employee to disciplinary action, including discharge from employment. Keep in mind that employment with the City is at-will and an employee may be terminated without prior notice for any reason. While it is not possible to list all the offenses for which an employee will be disciplined, the following are examples of inappropriate, unacceptable conduct that warrant discipline up to and including immediate termination without warning, advance notice or pay in lieu thereof include, but are not limited to:

- Willful damage or gross negligence to City property.
- Theft.
- Unauthorized possession of weapons or firearms on City property.
- Drinking, intoxication or possession of drugs or alcoholic beverages while working or while on City property (even off duty).
- Being under the influence of, use of, possession of, sale of or solicitation of narcotics.
- Absence without authorization.
- Assaulting or fighting another individual.
- Conviction of a criminal offense.
- Falsification of job application, time sheet or other personal documents.
- Harassment of any type.
- Dishonesty.
- Carelessness in handling City equipment.
- Threats or acts of violence in the workplace.
- Unauthorized use of City materials, equipment or other property.
- Insubordination or lack of cooperation, whether in language or conduct.
- Disruptive activity in the workplace.

- Violation of departmental rules/standards.
- Gambling on City property or while on work time.
- Abusive or improper treatment of a citizen, coworker or other individual in the City or on City payroll.
- Offensive conduct or language while in public or towards the public, City officials or employees, either on or off duty.
- Disregard for safety policies, procedures, reporting requirements or proper use of safety gear, clothing or equipment.
- Causing poor morale or disrespect among coworkers.
- Failure to report to duty when assigned or called.
- Failure to cooperate in internal investigation.

An employee may also be disciplined or terminated for poor performance, excessive absenteeism or tardiness, insubordination, dishonesty or conduct of a similar nature. The City may modify these rules as changing conditions warrant. The City expects an employee's complete cooperation in observing these rules, which have been designed for our common protection and benefit. The City may take whatever disciplinary action it deems appropriate in response to an offense, even if it is not included in the above list.

The City expects its employees to show a high degree of personal integrity, both on- and off-duty. Whether you are on- or off-duty, your conduct reflects on the City of Grinnell. Should your performance, work habits, overall attitude, conduct or demeanor become unsatisfactory, in the opinion of management, you will be subject to disciplinary action, up to and including discharge. Discipline for employees may be applied in one of the following manners:

1. Oral warning.
2. Written warning.
3. Final written warning, suspension or disciplinary probation.
4. Termination of employment.

To the extent required by law, employees will be provided appropriate due process before suspension or termination. If due process is required by law, the pre-deprivation process will include notice of the charge or charges against employee, a brief explanation of the evidence or information which supports the charges and an opportunity for the employee to respond to the charge or charges. Also, when required, the City's termination of employees will be in accordance with Iowa Code §35C.6 and/or §372.15.

While the City may elect to use progressive discipline, the City is in no way obligated to do so and the use of progressive discipline is at the sole discretion of the City. The City may issue any level of discipline as it best sees fit—including termination for a first offense—given the nature of the conduct, actions of the employee and other relevant factors. And in certain situations the City may provide an employee with notice of a problem and simply try to work with the employee to correct the problem. Again, your employment with the City is at-will which means it is for an indefinite period of time, is terminable at any time with or without notice or cause being shown by either the employee or the City, including with or

without prior warning and with or without an opportunity to correct the offense or problem leading to the termination.

The City, pursuant to Iowa Code sections 22.15 and 22.7(11)(a)(5), advises that information placed in an employee's personnel record as a result of disciplinary action may become a public record, including the fact that an employee was demoted, discharged or resigned in lieu of being discharged, in addition to any documentation showing the reason or rationale for the demotion, discharge or resignation in lieu of discharge.

SECTION 9. GRIEVANCE PROCEDURE:

A grievance is defined as a dispute or disagreement raised by an employee involving an interpretation or application of a specific provision of this policy manual. Any matters governed by civil service law shall not be considered grievances and shall not be subject to this grievance procedure. Any disciplinary action which may be appealed to the Civil Service Commission shall not be considered a grievance and shall not be subject to the grievance procedure. Any disciplinary action or any other claim which is within the jurisdiction of the Civil Service Commission must be processed in accordance with Chapter 400 of the Iowa Code.

Step 1.

An aggrieved employee considering filing a grievance with regard to an interpretation or application of this policy manual shall first contact his/her immediate supervisor within five (5) workdays of the occurrence or event giving rise to the grievance in order to explain the grievance to the supervisor and resolve the dispute. The immediate supervisor shall attempt to adjust the grievance or otherwise satisfy the employee within five (5) workdays after being presented with the grievance.

Step 2.

If the response of the immediate supervisor is not satisfactory to the employee, the employee may submit a written statement of the grievance to his/her department manager within five (5) workdays after the supervisor's oral response is due. The department manager shall respond in writing to the aggrieved employee within five (5) workdays after receipt of the written grievance.

Step 3.

If the grievance remains unresolved on the basis of the written decision of the department manager, the employee may present the grievance, in writing, to the City Manager within five (5) workdays after the department manager's response is due. The employee shall provide the City Manager with a copy of the department manager's reply at the time that the appeal is taken.

The City Manager shall hold an informal hearing within ten (10) workdays following receipt of the appeal. The employee and his/her representative and representatives selected by the City shall have the right to present information necessary to assist the City Manager in reaching a decision on the grievance. The decision shall be issued in writing within fifteen (15)

workdays following the completion of the hearing. The decision of the City Manager shall be final and binding.

The time limit specified for each step of the grievance procedure may be extended by mutual consent. If an answer to the grievance is not given to the employee by the City within any of the time limits specified in this section/procedure, the grievance may be appealed to the next step as set forth in the grievance procedure. Failure by the employee to comply with any time limits shall constitute a withdrawal of the grievance, and no further appeal will be allowed.

SECTION 10. FAMILY MEDICAL LEAVE ACT:

The City of Grinnell is covered by the Family Medical Leave Act (FMLA) of 1993, as amended. An “eligible employee” under FMLA means an employee who has been employed for at least twelve (12) months by the City and has worked at least one thousand, two hundred fifty (1,250) hours for the City during the previous twelve (12) month period.

In accordance with the Family Medical Leave Act, employees are entitled up to twelve (12) workweeks of unpaid leave during any twelve (12) rolling month period for one or more of the following reasons:

- Birth of an employee’s child, in order to care for his or her child.
- Placement of a child with an employee for adoption or foster care.
- The employee’s spouse, person they hold themselves married to, daughter, son or parent has a serious health condition and the employee is needed to attend to their basic needs, both during periods of inpatient care and during periods of home care.
- The employee is unable to perform the functions of his/her position due to a serious health condition.
- Eligible employees may use FMLA leave to serve as a military caregiver or to handle qualifying exigencies as permitted and defined under FMLA.

For the birth of an employee’s child or placement of a child for adoption or foster care, eligibility of FMLA leave for this purpose expires at the end of the twelve (12) month period beginning on the date of the birth or placement.

If both an employee and his/her spouse or person they hold themselves married to are employed by the City, their combined time off may not exceed twelve (12) workweeks during any twelve (12) rolling month period for the birth, adoption or foster care of a child or to care for a parent with a serious health condition. Each employee is eligible for the full twelve (12) weeks of leave within a twelve (12) rolling month period for their own serious health condition or to care for a daughter, son, spouse, or person they hold themselves married to with a serious health condition.

When an employee requests FMLA leave, the employee must use his or her accrued paid leave. Once all of the employee’s paid leave is exhausted, the employee may continue FMLA leave, to the extent to which the employee is entitled, as unpaid leave. However, an employee may reserve forty (40) hours of paid sick leave each calendar year.

The City may require that a request for FMLA leave related to a serious health condition be

supported by a signed certification, issued by a health care provider of the employee or the employee's spouse, person they hold themselves married to, daughter, son or parent, as appropriate. When the need for the leave is foreseeable, the employee must provide the employer with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the City's usual and customary notice and procedural requirements for requesting leave.

The City of Grinnell may, at the City's expense, require the employee to obtain the opinion of a second health care provider chosen by the City. If the two health care providers disagree about any of the information in the certification, the parties may mutually select a third medical provider at the employer's expense. The decision of the third provider shall be final and binding. The City may also require recertification and fitness for duty certifications as allowed by federal regulation. Taking of leave may be denied if requirements are not met.

Intermittent Leave or a Reduced Work Schedule: Intermittent or reduced schedule leave may be taken under the FMLA when medically necessary to care for your spouse, child, or parent with a serious health condition, or because of your own serious health condition. You must provide the City with medical certification of the need for intermittent or reduced schedule leave and must attempt to schedule your intermittent or reduced schedule leave so as not to disrupt City operations. You may be transferred temporarily to an alternative position or schedule with equivalent pay and benefits to your current position, which better accommodates the intermittent leave or reduced schedule. The use of available FMLA leave to bond with/care for a newborn or a newly-placed adopted or foster child must be taken all at once, may not be taken intermittently or on a reduced work schedule, and must conclude within 12 months after the birth or placement. If the newly born or newly placed child has a serious health condition, the employee has the right to take available FMLA leave to care for the child intermittently, if medically necessary, and such leave is not subject to the 12-month limitation after the birth or placement of the child.

All leaves of absence requested under this leave in accordance with FMLA shall be administered in accordance with the Family Medical Leave Act of 1993, as amended.

SECTION 11. COMPUTER USE:

The City provides computer facilities to its employees to assist and facilitate communications and other work-related communications and research. The computer facilities are to be used for City business. The only exception is that incidental and occasional personal use of e-mail is allowed during work breaks. Internet access should only be used for City business. Personal e-mail will be treated by the City like other e-mail messages and will be considered public records. Files, documents and e-mail, whether for personal or business use, that are created, sent, received or stored on the City's computer facilities by the employee may not be kept confidential, subject to applicable law. Personal use of the computers must be in compliance with this policy. All employee electronic files generated or stored on City computers are considered to be the sole property of the City.

The City may monitor, review and access employee electronic files for any municipal purpose, including for the purpose of ensuring that the employee is in compliance with this policy. The

monitoring, review and access may be implemented on the employee electronic files of all employees or of a specific employee. Random monitoring, reviewing and access may be implemented.

Employees may not use the City's computer facilities for any illegal, disruptive, offensive or wrongful purposes. Employees may not use the City's computer facilities to distribute defamatory, fraudulent or harassing messages; send, receive or store sexually explicit or suggestive materials or other offensive images or messages, or slurs or disparaging materials based on any person's ethnicity, race, religion, disability, sexual orientation or age; violate or infringe the copyright of any person, or incite any person to illegal actions.

Employees should not use the computer facilities to send bulk e-mail in a marketing or unsolicited format. Sending bulk e-mail is prohibited. The employee should not send or forward to others any "chain" e-mail. The employee should not use the City's logo, graphics or any other City content, unless involved in an authorized activity. Any use of the City's equipment or services for private or personal financial gain, commercial advertising or solicitation purposes is prohibited.

The City's computer facilities are only to be used by authorized persons, and an employee must have been issued or must create one or more passwords in order to use the City's computer facilities. The employee must provide any passwords that the employee has created to access the City's computer facilities to the City Manager. The employee should not give its passwords to any other people. The employee may not use some else's password without the express written authorization from the City. Each user is responsible for the proper use of his or her account and any activity conducted with it. This includes choosing safe passwords, protecting them and ensuring that file protections are set correctly. Each employee is responsible for the security of any system he or she connects to the network. Any employee who finds a possible security lapse on the City's computer system or network must report it to the City Manager as soon as possible.

Malicious use or deliberate disruption of the City's computers, network or internet/e-mail services and the misuse and deliberate damage to a City computer or services is prohibited.

E-mail should be retained as long as administratively useful or at least two years. Employees should determine if the e-mail might have possible long-term administrative use and/or historical value. In those cases the e-mail should either be retained permanently or destroyed after the administrative use ends.

Daily diaries or logs (appointment calendars, telephone or radio logs, task lists, etc.) should be retained for five years before deletion.

Employees should be aware that their "deletion" of electronic information will, in most cases, not erase such information from the computer system's storage until it is overwritten with other data and it may, in any case, still reside in the City's computer network either on various backup systems or other forms and, even if erased, may still exist in the form of printouts.

This policy may be amended from time to time as the City Council determines to be necessary, with or without notice to the employees.

Violation of this policy will subject the employee to discipline, up to and including discharge.

SECTION 12. CELL PHONE/ELECTRONIC COMMUNICATION DEVICE USE:

While at work, employees are expected to exercise discretion in use of personal cell phone/electronic communication devices. Personal calls during work hours, regardless of the phone use, can interfere with employee productivity, safety and may be distracting to others. Employees are prohibited from using cell phone/electronic communication devices in any illegal, illicit or offensive manner.

Use of cell phones/electronic communication devices by City employees for personal use is limited during work hours. Employees may use cell phones/electronic communication devices for personal use during lunch or break periods only, except in the case of emergency. Use of cell phones/electronic communication devices should be made in a private space away from other employees, citizens and common work areas. Personal cell phones/electronic communication devices are to be turned off or placed on silent mode during working hours. If an employee's use of cell phone/electronic communication devices for personal use causes disruptions or loss in productivity, the employee may become subject to disciplinary action. The City reserves the right to request that an employee provide cell phone bills and usage reports for calls made during working hours to determine if the use of the cell phone/electronic communication device was excessive.

Drivers shall comply with all federal, state and local laws and regulations regarding use of cell phone/electronic communication devices and other mobile technology devices. No employee may use a cell phone/electronic communication device for personal use while operating City vehicles, equipment or machinery. Sending or reading text messages, e-mails, viewing videos and inputting data into cell phones or laptop computers or navigation systems are prohibited while driving. The cell phone voicemail feature should be on to store incoming missed calls and messages while driving, and all message retrievals and calls should be made after the vehicle is safely parked. If acceptance of an incoming call or text is unavoidable and pulling over is not an option, employees are expected to keep the call short, use hands-free options, if available, refrain from complicated or emotional discussions and keep their eyes on the road. Special care should be taken in situations where there is traffic, inclement weather or the employee is driving in an unfamiliar area.

Under no circumstances are employees allowed to place themselves at risk to fulfill business needs. Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions. Violations of this policy will be subject to discipline, including termination.

SECTION 13. WHISTLEBLOWER PROCEDURE:

If any employee has a complaint against state agencies, officials of state, or local governments in Iowa, they may contact the Office of Ombudsman. For more information on what the Office of Ombudsman can and cannot do, please see <https://ombudsman.iowa.gov/services/for-the-public/what-the-iowa-office-of-ombudsman-can-do>.

In compliance with the Office of Ombudsman's guidelines, we ask employees to first consider taking the following steps:

- A difference of opinion or misunderstanding is often resolved by simply taking the time to talk and listen. If you have a problem with a state or local government agency, first take the matter up with the agency involved before calling the Office of Ombudsman. Many times, an agency official will be eager to explain a specific policy or will correct the problem to your satisfaction.
- Here are some good common-sense basic steps to take when trying to resolve most any problems with a government agency or a Utility in the private sector:
 - Be prepared. Know what questions you are going to ask (it helps to write them down). Be sure to have any relevant information you need available before you contact the agency.
 - Be pleasant. Treat public employees as you like to be treated. Getting angry or rude will not resolve your problem and may only confuse the real issues.
 - Keep records. Take notes, ask for the names and titles of employees you speak with, and save all of your correspondence.
 - Ask questions. Ask why the agency acted as it did. Ask employees to identify the rules, policies, or laws that governed their actions. Ask for copies.
 - Talk to the right people. Do not get angry with the first employee you meet; usually they cannot make or change policy. If you cannot resolve the matter, ask to talk with a Supervisor. Keep asking questions until you understand what happened and why.
 - Read what is sent to you (including the fine print)! Carefully read all information sent to you. Many agency decisions may be appealed, but there are deadlines. Be sure to follow appeal rules and deadlines. It is a good idea to mail your appeal certified, return receipt.

If you follow these suggestions and still cannot resolve your problem, or if you choose not to utilize these options, you may contact the Office of Ombudsman toll-free at 1-888-IA-OMBUD (1-888-426-6283). For more information, please contact the City Manager.

SECTION 14. CONFLICT:

Where this Personnel Manual is in conflict with state or federal laws, requirements under the applicable law shall take precedence over this manual.

SECTION 15. DISCLAIMER:

THIS MANUAL DOES NOT CONSTITUTE A CONTRACT OF EMPLOYMENT.

This manual does not constitute or create a contract of employment or change the at-will nature of your employment with the City. Rather, this manual has been prepared to acquaint you with the City of Grinnell's employment policies, your responsibilities as an employee, and the many benefits and privileges our employees may enjoy. It is presented as a matter of information only. The City is committed to reviewing these policies continually and reserves the right to change or terminate any or all of them at any time, with or without notice to the employee. As a City employee, you are employed at-will, unless otherwise required by law. You retain the right to terminate your employment at any time for any reason, and the city retains the same right. No policy or practice of the city should be construed to change this relationship. Only the City Council has the right to modify or change this practice, and such action must be in writing.

Management is committed to reviewing these policies and benefits. Accordingly, the policies

and benefits outlined in these procedures are subject to review and change by management at any time. No communication or practice limits the reasons or procedures for termination or modification of the employment relationship.

Appendix A

CITY OF GRINNELL POLICY PROHIBITING HARASSMENT

SUBJECT:HARASSMENT

It is the policy of the City of Grinnell that no employee be harassed by another employee, customer, or supervisor on the basis of race, color, religion, sex, age, national origin, sexual orientation, gender identity, disability, pregnancy, genetic information, or any other protected characteristic as established by law.

Illegal harassment, whether verbal or physical, will not be tolerated. All members of management have the explicit responsibility and duty to take corrective action to prevent any illegal harassment of our employees. The City expects the full cooperation of all employees in eliminating and addressing all forms of discrimination and harassment in the workplace.

Prohibited Conduct

Sexual harassment constitutes discrimination and is illegal under federal, state and local laws and is strictly prohibited. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when: (1) submission to such conduct is a term or condition of employment; (2) submission to or rejection of such conduct is used as a basis for employment decisions; or (3) such conduct has the purpose or effect of creating an intimidating, offensive or hostile working environment. Examples of offending conduct include, but are not limited to:

- Use of suggestive comments, sexual language or obscene gender related jokes or pictures;
- Sexual remarks about a person's body or sexual activities;
- Patting, pinching or inappropriate touching;
- Demanding sexual favors accompanied by implied or overt threats concerning employment, compensation, promotion and/or job assignment;
and
- Sexual assault

Harassment on the basis of any other characteristic protected by federal, state or local laws is also illegal and strictly prohibited. Under the City's policy, harassment is verbal, physical, visual, or other conduct directed toward an individual because of that individual's protected status and that: (1) has the purpose and effect of creating an intimidating, offensive or hostile working environment; (2) has the purpose or effect of unreasonably interfering with work performance; or (3) otherwise adversely affects an individual's employment opportunities.

Complaint Process

Employees are encouraged to report harassment *before* it becomes severe or pervasive. While isolated incidents of harassment generally do not violate the law,

a pattern of such incidents may be unlawful and isolated incidents may still violate City policy and/or conduct expectations. The City's desire is to stop and remediate harassment, but it cannot stop something of which it is unaware. It is the duty and responsibility of every City employee to immediately report potential violations of this Policy, whether directed directly towards them or towards a co-employee.

If you feel you are a victim of discriminatory harassment or other inappropriate behavior, you may choose to personally confront your alleged harasser by letting that person know that his or her conduct is unwelcome. If the matter is not resolved or if you choose not to confront the harasser, report your concerns to your immediate supervisor, any departmental supervisor, the City Manager, the City Clerk, the City Attorney, or a member of the City Council.

The City will investigate a complaint of harassment immediately and will take prompt and appropriate corrective action to end the harassing behavior. Any individual found to have engaged in harassing behavior will be subject to discipline, up to and including termination.

Prohibition of Retaliation

The City will not take adverse employment action against an employee because the employee has made a good-faith report of discrimination or harassment prohibited by this Policy or law, or because he or she has participated in an investigation or provided information related to such complaints. Furthermore, the City will not tolerate materially adverse treatment among co-employees for engaging in such behavior.

If an employee believes he or she is being treated adversely because he or she has made a complaint of discrimination or harassment or participated in an investigation or provided information related to such complaints, the employee should immediately report it to his or her your immediate supervisor, any departmental supervisor, the City Manager, the City Clerk, the City Attorney, or a member of the City Council.

The City will not tolerate retaliation against employees for engaging in activity protected by law, and any employee found to have taken materially adverse employment action against another for engaging in such activity is subject to disciplinary action, up to and including termination of employment.

APPENDIX B

CITY OF GRINNELL DRUG & ALCOHOL POLICY

SCOPE

In compliance with the Drug-Free Workplace Act of 1988, every employee of the City of Grinnell will receive a copy of this Policy and acknowledge their compliance. Copies of the Act are also available for any employee upon request from the City Office.

This document establishes the Drug and Alcohol Policy of the City of Grinnell, and, as such, supersedes all previously issued policies, publications, memorandums, and documents related to this subject. If you have any questions relating to material covered in this policy, see your supervisor or contact the City Office.

POLICY

The goal of the City of Grinnell's Drug and Alcohol Policy is to make a good faith effort to maintain a drug-free workplace and to otherwise comply with the "Drug-Free Workplace Act of 1988". The City of Grinnell recognizes that misuse of alcohol and other drugs is a pervasive problem in our society. The City of Grinnell is committed to the position that the most effective way of approaching this problem is through education, assessment, early intervention, and treatment, if necessary. This policy is intended to promote assessment, treatment and rehabilitation as needed, as well as a safe and secure work environment. The City of Grinnell encourages employees to seek assessment and to utilize its designated confidential assessment service as described in the Personnel Policy Manual of the City of Grinnell.

To promote these goals, the City of Grinnell has established a drug-free awareness program. The use of controlled substances, prescribed and non-prescribed drugs, or alcohol by an employee is of concern to the City of Grinnell when such usage interferes with job performance, conduct, attendance, safety, or when in violation of the law.

The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance by employees, while on the city of Grinnell premises or while on city of Grinnell business, is prohibited. Conducting City of Grinnell business, which includes driving vehicles or operating City of Grinnell equipment, while under the influence of alcohol or other drugs is also prohibited. Engaging in any of these prohibited activities may result in disciplinary action, including dismissal.

GUIDELINES

The City of Grinnell recognizes that early identification through assessment and subsequent referral to the appropriate type of care may result in successful treatment of addictions. Appropriate care facilities are included in the City of Grinnell's medical coverage.

1. Supervisors should make every effort toward early identification and encouragement of the employee to seek evaluation. It is understood that it is not the responsibility of supervisory personnel to determine if an employee has a substance abuse problem. Thus, referral for diagnosis and treatment, when necessary, will be based on observed job performance problems or issues.
2. Consideration will be given to post-treatment activities (i.e. aftercare AA Meeting, etc.). However, an employee's involvement in substance abuse treatment is not considered an alternative to meeting established work and attendance standards. If it becomes necessary for an employee to undergo some form of treatment in an appropriate facility, absence will be handled in accordance with applicable benefit plans.

3. In the event of a relapse, the City of Grinnell will consider alternatives appropriate to the individual situation.

In order to comply with the "Drug-Free Workplace Act of 1988" each employee will be given a copy of this policy and guidelines and will agree to comply. This includes the requirement that any employee convicted of any criminal drug statute violation occurring on the job must notify the City Clerk within five (5) days.

ADDENDUM
CITY OF GRINNELL
SUBSTANCE ABUSE POLICY FOR DRUG AND ALCOHOL TESTING (NON-DOT POSITIONS)

An active employee may be requested or required to submit to a drug or alcohol test under any of the following circumstances:

- Reasonable Suspicion. A specific active employee may be required to submit to a drug or alcohol test if the City has evidence that the employee is using or has used alcohol or drugs in violation of the City's written policy. This evidence must be drawn from specific objective and articulable facts and reasonable conclusions drawn from those facts. Examples that might support such are:
 - Observations made at work, such as direct observation of alcohol or drug use or the physical symptoms of being impaired by alcohol or drug use.
 - Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
 - A report, by a reliable and credible source, of alcohol or drug use.
 - Evidence that an individual has tampered with any alcohol or drug test during the individual's employment with the City.
 - Evidence that an employee has caused an accident while at work which resulted in an injury to a person for which injury, if suffered by an employee, a record or report could be required under Chapter 88, or resulted in damage to property, including equipment, in an amount reasonably estimated at the time of the accident to exceed one thousand dollars (\$1,000).
 - Evidence that an employee has manufactured, sold, distributed, solicited, possessed, used, or transferred drug while working, or while on the employer's premises or while operating the employer's vehicle, machinery or equipment may be cause for termination.

Prior to the City receiving the results of the employee's drug test, the employee's employment with the City will be suspended without pay, pending the outcome of the test. If the result of the test does not violate the terms of this written policy, the employee will be reinstated, with back pay.

- **Drug Testing of Employees Required to Maintain a Commercial Driver's License**
Federal law requires drug testing of certain employees required to have a commercial driver's license (CDL). Employees covered by those federal regulations will receive a supplement to this handbook.

ADDENDUM
CITY OF GRINNELL
SUBSTANCE ABUSE POLICY FOR DRUG AND ALCOHOL TESTING FOR DOT POSITIONS

If the test of an employee, who is subject to the requirements of Federal DOT drug and alcohol testing, results in a Medical Review Officer (MRO) verified positive test for the use of drugs, or an alcohol concentration of 0.04 or greater, the employee will be referred to an appropriate substance abuse professional for assessment and enrollment in a treatment and rehabilitation program, if recommended. Results of the positive drug or alcohol test and terms of the rehabilitation will remain confidential, except as provided by applicable Federal Regulations.

If the test results indicate an alcohol concentration of at least 0.02 but less than 0.04, the driver will be removed from the job for at least 24 hours and shall be permitted to use compensatory time or vacation, or leave without pay if paid leave is not available. Alternatively, the employee may be assigned to non-safety-sensitive duties with approval of the department supervisor. The employee may return to safety-sensitive duty at his/her next scheduled shift after completion of the following:

- At least 24 hours have elapsed from the breathalyzer test which indicated an alcohol concentration of at least 0.02 and,
- The employee has taken another breathalyzer test which indicates an alcohol concentration of less than 0.02

Employees referred to the treatment and rehabilitation program as a result of an MRO verified positive test or breath testing showing an alcohol concentration above 0.04, must immediately cease any substance abuse, must be subject to testing before returning to safety-sensitive duty, must subject themselves to periodic unannounced testing for a period of not to exceed sixty months, and must comply with all other conditions of the treatment and counseling program recommended by the substance abuse professional.

None of the expenses of the substance abuse treatment and rehabilitation program shall be paid for by the City of Grinnell. Expenses for the rehabilitation program shall be paid for entirely by the employee with the employee health insurance provider funding a portion as provided in the benefit plan.

An employee required to take time off in order to participate in a rehabilitation program will be permitted to use sick leave, vacation time, and /or unpaid leave.

Participation in substance abuse treatment and rehabilitation will not result in disciplinary action; however, non-covered duties may be assigned until the MRO or substance abuse professional determines that the employee may return to duty. Successful completion of the prescribed program will be required for the employee to continue employment with the employer.

If an employee is undergoing substance abuse treatment and counseling or has returned to duty upon successfully completing such treatment and rehabilitation and a subsequent test is verified by the MRO as positive, or results in an alcohol concentration of 0.04 or greater, the employee will be subject to further disciplinary action, **up to and including termination.**

Employees who undergo substance abuse treatment and counseling under this policy and who continue to work must meet all established standards of conduct and job performance.