

CITY OF EL RENO

PERSONNEL MANUAL



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Nothing contained in this manual should be construed by the employee to grant a property interest in his or her employment with the City of El Reno or to grant any contractual right to the procedures contained herein.

Adopted this 08 day of Sept., 2015 and made effective this 1 day of Oct., 2015 by Resolution 16-006.

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ACKNOWLEDGEMENT

This is to acknowledge that I have received a copy of the Personnel Manual adopted by the City Council and understand that it outlines my privileges and obligations as an employee with the City of El Reno.

I further understand that I am governed by the contents of the Personnel Manual and that it is my responsibility to familiarize myself with all information in the handbook.

Since the information, policies and benefits described in this manual are subject to change, I understand and agree that such changes can be made by the City Council at its sole and absolute discretion, and I agree to observe these changes in all respects.

I further understand this manual is not nor is it intended to be a contract of employment. I further understand this manual is not to be interpreted by the employee as a contract of employment.

I further understand the City of El Reno retains the right of employment-at-will to terminate his/her employees at any time for any reason not prohibited by the law, and employees can terminate at will.

I further understand that this signed statement will be a permanent record in my personnel file.

PREAMBLE

This policy and personnel manual is intended to provide information about employment policies for employees of the City of El Reno. A copy will be provided to each employee. It is the responsibility of each employee to become familiar with the material contained in the manual. The manual will be updated on a regular basis, and employees will have access to any updates as they are issued. Nothing contained herein is intended to create an employment contract. All employees are at will employees.

The purpose of this manual is to serve as a guide to administrative action concerning various personnel activities and transactions. This manual supersedes all previous publications pertaining to personnel policies and procedures. This manual applies to both exempt and Non-Exempt employees unless modified by collective bargaining agreements or specifically provided otherwise.

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PERSONNEL POLICIES

EQUAL EMPLOYMENT OPPORTUNITY STATEMENT

It shall be the policy of the City of El Reno to provide employment opportunity to all qualified persons, to prohibit the discrimination based on race, color, creed, religion, sex, age, national origin, sexual orientation, political affiliation, veteran's status or mental or physical disability, and to promote full realization of equal employment opportunity in accordance with the Americans with Disabilities Act (ADA) regulations.

This policy shall be followed in recruiting, hiring, determination of pay, promotions, layoff, recall, disciplinary action, and/or state and city training programs, transfers and treatment of individuals.

COMPLAINT PROCEDURE – OPEN DOOR POLICY:

If an employee or prospective employee feels that they have been discriminated against, they are required to report such discrimination, and should do so by contacting the Human Resource Director/Supervisor and/or Supervisor/Department Heads. The employee or prospective employee should file a complaint in writing with the Human Resource Director who will conduct an investigation of the complaint and report to the person making the complaint and the City Manager within two calendar weeks or such time as is reasonably prompt, together with any recommendations for corrective action if necessary. The City may use mediation to attempt to settle the dispute. The City Manager shall have the final decision on corrective action.

RECRUITMENT / JOB POSTING

To assure that all people have an equal opportunity to apply for City jobs, all job openings shall be listed publicly and, filled from applications as filed with the Human Resource Director or appointed by the City Manager. All applications submitted will be on file for at least one (1) year.

Posting generally includes the title, the salary range, the minimum hiring specifications and the closing date for filing applications.

ACCOMMODATION

The City of El Reno will provide reasonable accommodation to enable a qualified applicant to perform the essential functions of the job, which he/she is seeking, and to enable a qualified employee with a disability to perform the essential functions of a job currently held. Modifications or adjustments may be required in the work environment, in the manner or circumstances in which the job is customarily performed, or in employment policies. The City of El Reno's goal is to allow an employee with a disability to enjoy the benefits and privileges of employment, equal to those enjoyed by similarly situated employees without disabilities.

PERSONNEL POLICIES

The City of El Reno will not be able to make accommodations that would impose an undue hardship on the operation of the City. The Americans with Disabilities Act defines an undue hardship as an action that requires significant difficulty or expense. Each accommodation request will be handled on a case-by-case basis and every effort will be made to comply with the Act.

UNION ACTIVITY AND CONTRACTS

Election of remedies if an employee elects to join a representative employee organization and such employee organization enters into or has entered into an agreement with the City concerning wages, working conditions, or matters which normally are covered by these regulations. An election of the employee to join this organization shall also constitute an election to be bound by the provisions of the labor agreement and shall constitute a waiver of the provisions of these regulations which are included in any such agreement which may be in conflict with the provisions of these regulations.

FOP and IAFF Union members shall be covered under Union contracts. If such contract does not cover a particular area of interest, this handbook shall be referenced at such time.

HIRING PROCEDURES

The City Manager and/or Department Heads shall be responsible for hiring and/or appointing the employees. The number of persons hired or appointed shall be based on the budget appropriation for the fiscal year in which the hiring/appointment is made.

Employees serve at the pleasure of the City Manager.

All new employees, upon instruction from the City Manager and/or Department Heads, will report to the Human Resource Director's office for enrollment as a City Employee.

All new employees must demonstrate by documents their employment eligibility. The required documentation must be presented by the employee/applicant within (3) three business days of the date of hire. If the employee/applicant is unable to provide the required document or documents within the time period, the individual must present a receipt for the application of the document within (3) three days of hire and present the required documentation within 21 days of hire. The employee/applicant must also complete the portions of INS Form I-9 as required.

PERSONNEL POLICIES

RESIDENCE LOCATION

Residency is not required of City employees except those specifically mentioned in the City Code or required by state statute or Charter. Department heads are encouraged to reside within the City limits of El Reno. Other employees may reside wherever they choose; however, employees who are subject to call out for emergencies (police, fire, water, street, etc.) should live close enough to the City that they may reach their duty stations within no longer than thirty (30) minutes from driveway to driveway.

PHONE USAGE - PERSONAL CALLS

No City employee is permitted to make personal long distance telephone calls without the authorization of the department head and the employee if allowed, shall reimburse the cost of any such long distance calls in full to the City. Any calls of a personal nature shall be held to a minimum in both length and occurrence and should whenever possible be done on the employee's non-work time.

Employees with assigned City cell phones should have no expectation of privacy and should understand that all information contained on the City cell phone is the property of the City.

EMPLOYEE ADJUSTMENT PERIOD

Each new employee will be hired with the understanding that he/she will serve a six (6) month period as a probationary employee, during which time both the employee, the Department Head and the City Manager will have an opportunity to determine the duties of the job and the capabilities of the employee on the job. Employee medical insurance will begin the first day of the following month.

MEDICAL EXAMS

For those positions in the City of El Reno that require particular physical conditions (bona fide occupational qualification) in order to properly carry out or withstand the prescribed tasks of the position, it may be necessary for job applicants to pass a medical evaluation by a City selected physician after an employment offer. Such medical examinations will be based on bona fide occupation standards that are reasonably related to the position in question, with consideration given by the City to accommodating physical and mental disabilities. A newly hired employee who fails to appear for medical examinations without good cause will be automatically disqualified for further employment consideration. Medical exams expenses will be provided by the City.

PERSONNEL POLICIES

NEPOTISM

No person related within the third degree of affinity or consanguinity (marriage or blood) to the Mayor, a member of the City Council or City Manager shall be appointed to any office position or clerkship or other service of the City, either on a full-time or part-time basis. No person related within the third degree of affinity or consanguinity to a Superintendent or Department Head may be appointed to or transferred to any office, position or clerkship or any other service of the City, which is in the same department where the Superintendent or Department Head is employed.

“Immediate family” shall be defined as spouse, child, parent, brother, sister, mother-in-law, father-in-law, brother-in-law, sister-in-law, daughter-in-law, son-in-law, grandparents, and grandchildren.

“Persons related by blood or marriage to the third degree” shall include members of the immediate family plus aunts, uncles, nieces and nephews.

PERSONNEL RECORDS

Personnel records of all City employees shall be kept by the Human Resource Director. Whenever there is a change in address, phone number, dependents or beneficiaries, it is the responsibility of the employee to report such change to the Human Resource Director within 48 hours of the change.

The following information concerning employees and former employees is a matter of public record and therefore is open for public inspection: name, date of original employment, current position title, current salary, date and amount of most recent change in status of position, and office to which employee is currently assigned, as well as, any final disciplinary action taken against an employee if that disciplinary action results in loss of pay, suspension, demotion of position, or termination. The City will not disclose the reasons that any of these actions were taken against the employee unless required to by law.

No employment inquiries or verifications are to be released except by the City Clerk through an Open Records Request.

The City is not required to disclose records relating to internal personnel investigations including examination and selection material for employment, hiring, appointment, promotion, demotion, discipline, or resignation. In addition, where disclosure would constitute a clearly unwarranted invasion of personal privacy such as employee evaluations, payroll deductions, or employment applications submitted by persons not hired by the City.

PERSONNEL POLICIES

SMOKE-FREE WORKPLACE

The City is committed to providing a safe and healthy workplace that promotes the well-being of its employees. Consistent with this commitment, it is our policy to prohibit smoking during working hours “in” all locations, vehicles and equipment owned by the city.

It is the responsibility of all employees to observe and enforce this non-smoking policy. Courtesy and consideration toward others should always be exercised in this regard.

Smokers are a member of our work family and team, and we want to make sure that we manage the topic of smoking with concern and respect. At the same time we must make sure that our habits do not negatively affect other team members, our pace of work or that our habits do not absorb normal work time respectfully paid to all of us from the tax payers that are supporting us.

This Policy does include Tobacco and Tobacco-free products of any nature.

COMPENSATION POLICIES

ACKNOWLEDGEMENT OF COMPENSATORY TIME OFF FOR OVERTIME AGREEMENT

I, _____, Soc. Sec.# _____, have read, understand, and have in my possession the City of El Reno's Personnel Manual. I agree as a condition of employment to follow the policies in the manual, and if there is at any time something that I do not understand, I agree to ask.

I further understand that overtime for eligible employees pursuant to the Fair Labor Standards Act (29 U.S.C. 207(o)(2)) may be paid as compensatory time off in lieu of cash overtime payment under the guidelines of the Fair Labor Standards Act outlined in the Personnel Manual.

I further understand that this signed statement will be a permanent record in my personnel file.

COMPENSATION POLICIES

PAYMENT OF WAGES

All City employees shall be paid a minimum of TWICE each calendar month.

Any questions about a paycheck should be checked first with the employee's Supervisor, then with the Department Head and/or City Manager. The Department Head and/or City Manager will make further checks, if necessary, with the Human Resource Director.

Whenever an employee's employment terminates, the employer shall pay the employee's wages in full, less offsets, at the next regular designated payday established for the pay period in which the work was performed within the deadlines herein specified if requested by the employee.

WAGE SYSTEM

The wage system is a pay system used throughout the City Government to compensate full-time and part-time employees with the exception of the City Manager, whose salary shall be set by the City Council.

WAGE RATES

Wage rates shall meet the FLSA guidelines and be approved through the budgetary process of each fiscal year. Wage rates can be obtained in the Human Resource Director's Office.

EMPLOYMENT CLASSIFICATION

A *Full-Time* employee is anyone who is regularly scheduled to work 30 or more hours per week. A full-time employee may be re-classified as part-time or temporary if these requirements are not met.

A *Part-Time* employee is anyone who is regularly scheduled to work less than 30 hours per week. A part-time employee may be reclassified as full-time or temporary if these requirements are not met.

A *Temporary* employee is anyone who works for a specified period of time, usually less than 90 days, regardless of the number of hours worked. Temporary employees are not eligible to receive any paid benefits.

An *Exempt* employee is not eligible for overtime according to the Fair Labor Standards Act (FLSA).

A *Non-exempt* employee is eligible for overtime according to the Fair Labor Standards Act (FLSA).

COMPENSATION POLICIES

REINSTATEMENTS

A reinstatement is the reemployment of a former employee based on the Applicant's previous appointment. Pay on reinstatements are set in a variety of ways.

1. Minimum Step: Pay may be set at the First Step for the position to which the Employee is being appointed. However, the City of El Reno permits the use of the highest previous rate to set pay. When the City Manager and/or Department Head does not give the employee this benefit, a brief statement describing the rationale for such a determination shall be prepared and filed in the employee's official Personnel folder.

RECLASSIFICATION

A position can be reassigned from one class to a different class to correct an error in the original assignment or to recognize a significant change in the duties and responsibilities of a position.

1. When a reclassification is requested to recognize a significant change in the duties and responsibilities of a position, the recommending department shall complete and submit to Human Resource Department a job analysis worksheet for evaluation and classification.
2. Reclassification shall not be used as a method of awarding an employee a salary increase. All reclassification recommendations or requests shall be presented to the City Manager. The City Manager may direct the Human Resources Department to analyze the position and make a recommendation.
3. Although there may be various instances when a position is reclassified, such as during reorganization or when directed by the City Manager, the customary time for submitting a request is at budget revision or prior to the budget cycle preparation. The ideal time is when the position is vacant.

WORK HOURS, REST, AND LUNCH PERIODS

El Reno City Hall will be open Monday through Friday 8:00 AM to 5:00 PM.

The Departments shall set the rest periods and lunch hours for their employees but at no time shall City Hall be left without adequate staff to perform necessary duties.

While most City employees work a normal scheduled work week, the activities of some departments require alternative schedules to meet their work needs. In those departments, the City Manager and/or Department Head may authorize a deviation from the normal work schedule.

COMPENSATION POLICIES

WORK WEEK AND WORK PERIOD

On approval by the City Manager, department heads may establish work schedules and work periods for regular employees to meet the department's specific needs. Unless otherwise specified, controlled by contractual provisions or regulated by law, there is established for regular employees a series of seven (7) day work periods for determining overtime hours worked. The seven (7) day periods shall begin at 0000 hours, each Saturday and shall end at 2359 hours (11:59 pm) the following Friday. Each succeeding seven (7)-work period will begin immediately at the expiration of the prior seven (7) day work period. Unless otherwise specified, the normal working hours for regular employees shall be 8:00 a.m. to 5:00 p.m. with one hour for lunch, five (5) days a week. They shall also receive one fifteen (15) minute break in the morning and one fifteen (15) minute break in the afternoon at the supervisor's discretion. Relief time shall be taken only after having been on the job for a minimum of two hours, unless otherwise authorized by the supervisory. The City payroll periods shall include two (2) normal work periods and payment shall be made as reasonable and proper in accordance with municipal accounting standards.

OVERTIME AND COMPENSATORY TIME OFF

City employees who are not exempt, shall be entitled to overtime payment at the rate of ONE AND A HALF (1 ½) TIMES their regular rate of pay for all hours worked in a work week in excess of FORTY (40) HOURS. The employee may accumulate up to EIGHTY (80) HOURS of Compensatory time off in lieu of overtime payment. After the accrual of the 80 hours of Compensatory time off, such employee must be paid those hours earned over and beyond the maximum allowed 80 hours of Compensatory time at a rate of ONE AND A HALF (1 ½) HOURS for each hour of overtime worked. All employees must sign the Acknowledgement of Compensatory Time Off for Overtime. All compensatory time off will be scheduled at the discretion of the City Manager and/or Department Head.

Employees are entitled to use accumulated compensatory time "within a reasonable length of time" after making the request if the use of the compensatory time does not unduly disrupt the operations of the City.

In all cases where compensatory time off is authorized, once the employee has utilized compensatory time off to reduce this maximum accrual below the applicable limit, then additional overtime may be paid in the form of additional compensatory time off.

Upon termination of employment, the employee must be paid for the accrued compensatory time at their rate of pay when terminated.

COMPENSATION POLICIES

MERIT PAY INCREASE

Merit pay Increases are intended to recognize the increased value of the employee to the City of EI Reno as the employee gains experience and to reward meritorious performance.

A merit pay increase shall normally be granted for an employee who has received a rating of “**fully meets or outstanding**” in the employee's most recent performance evaluation, unless the City's financial condition warrants otherwise or there exists another legitimate reason to withhold a merit increase. The City may freeze its pay plan or merit increases based on the City's financial condition. Employees who are at the maximum salary for their positions are not eligible for a merit pay increase.

It is the duty of department heads and supervisors to identify outstanding workers and to recommend to the City Manager that the outstanding workers be granted merit pay increases. Conversely, it is the duty of supervisors to withhold pay increases for employees whose performance is substandard.

PROMOTIONS

Promoted employees may receive a pay increase at the time of the employee's appointment, if the budget shall allow. The promoted employee will have a six (6) month probationary period in their new position and will be evaluated thereafter for a possible merit increase. No employee shall be paid more than the maximum pay for the pay grade to which the position is assigned. If the employee is not successful, he will be given preference for another job opening.

TEMPORARY PROMOTION

Employees who are promoted on a temporary basis (longer than one pay period) may receive a salary of the entry level of their temporary position for the period of the temporary promotion, if budget shall allow. If a temporary promotion results in a permanent appointment, another salary increase may be granted if justified by operational concerns, increased responsibility, and budgetary conditions.

ON-CALL PAY

In order to receive on call pay an employee must be on call during the employee's non-duty time, including weekends and holidays during a period where no other employees in the division are scheduled and available to provide services.

Employees who are regularly required to be on call shall receive the equivalent to two (2) hours of straight time pay; when required to be on call for 24 hours or more shall be paid four (4) hours straight time pay.

COMPENSATION POLICIES

Employees who are scheduled to be on call are expected to be ready to work if called out. If an employee is scheduled to be on call and they call in sick for their regular shift the on call status will be reassigned and the employee will not be compensated for on call hours. If an employee is found to be impaired or it is reported to management that an employee was impaired while on call, appropriate disciplinary action will be taken up to and including termination.

Emergency call-out of regular employees on call during the employee's non-duty hours will be subject to regular overtime. An employee designated to be on call who cannot be reached shall be subject to disciplinary action up to and including termination.

LEAVE BENEFITS

The City of El Reno has adopted a paid general leave program for regular employees which incorporates forms of leave such as vacation, sickness, education leave, emergency leave, military leave, court leave, and leave sharing program. It is the intent of the general leave program to allow eligible employees greater flexibility in the use and application of paid absence from work while maintaining necessary and appropriate operation levels.

The City Manager and/or Department Head shall be responsible for forwarding leave requests taken by his/her employees to the Human Resource Director. Such records shall include type and length of leave.

LEAVE ACCRUAL BEFORE APRIL 3, 2002

Accrued leave totals for employees employed prior to the effective date of the revision to the City's leave policies, shall be entitled to retain such leave amounts, and to take such leave upon request and authorization by the City. Any remaining sick leave accrued before this date will be eligible for 1/3 payment at time of retirement.

VACATION LEAVE

- A. ACCRUAL: A part-time employee at (1040 hours annually) and a regular full-time employee will begin to accumulate leave upon completion of his/her first (1) day of employment, overtime hours are not eligible for leave accrual.

Full-Time Employees Accrual

Length of continuous service	Hours per pay period	Max Accrual Hours
0-5 years	3.08	120
5-10 years	4.62	160
10-15 years	4.62	180
15-20 years	4.62	200
20 plus years	6.16	220

Part-Time Employees Accrual

Length of continuous service	Hours per pay period	Max Accrual Hours
0-5 years	1.54	60
5-10 years	2.31	70
10-15 years	2.31	80
15-20 years	2.31	90
20 plus years	3.08	100

LEAVE BENEFITS

- B. ACCUMULATION: Employees are allowed to accumulate as stated above. Any accrual in excess of the maximum shall be lost to the employee.
- C. EXPENDITURE: Vacation leave cannot be expended for more than the actual accrued number of days earned by the employee. Holiday and other non-scheduled work days shall not be computed in vacation leave expenditure. Such expenditure shall be reviewed by the City Manager and/or Department Head in advance.
- D. ELIGIBILITY: An employee will be vested with vacation leave after TWELVE (12) MONTHS of continuous employment unless approved by the City Manager prior to completion of Twelve (12) Months. The City Manager and/or Department Head shall grant leave in accordance with the work requirements of the department. Whenever possible, vacation leave will be granted at the time of request of the employee. Requests for vacation leave should be submitted at least five (5) working days in advance.
- E. SEPARATION: Upon separation, if any employee has completed TWELVE (12) MONTHS of continuous employment, he will be compensated for any unused vacation leave.
- F. ANNIVERSARY DATE
Defined as the date an employee actually begins work for the City of El Reno. The anniversary date shall be the beginning date for calculation of sick leave, vacation leave, and longevity pay. The anniversary date is used to determine eligibility date for benefits, and provides the supervisor a date to establish length of service when determining who is eligible for promotion.
- a. Employees are eligible for longevity after they have completed three consecutive years of service with the City of El Reno. At this time, employees will receive \$30.00 per year of service to a maximum of \$600.00 for 20 years of service. Procedure for payment of longevity are as follows:
 1. Longevity will be included in the regular hourly rate for the purpose of calculating the overtime rate of an employee.
 2. Longevity pay will be included in the employee's pay once the employee has completed three (3) continuous years of service.
- G. ACTION DATE: Defined as the date an Employee's base rate of pay changes, the action date can be affected by completion of a probationary period, promotion, demotion. Each of these situations creates a new annual evaluation date that may be accompanied by a pay increase.

LEAVE BENEFITS

SICK LEAVE

- A. ACCRUAL: A regular full time employee begins to accumulate sick leave upon completion of his/her first full day of employment. Sick leave is accrued at eight (8) hours of leave for each calendar month for full-time employees which, may carry over each calendar year. Part-time employees accrue sick leave at four (4) hours of leave for each calendar month which, may carry over each calendar year with accumulation maximum as stated below.
- B. ACCUMULATION: Sick leave may be accumulated to a maximum of SIXTY (60) working days for Full-time employees and THIRTY (30) working days for part-time employees. An employee who consumes all the sick leave benefits, for which he/she is eligible, shall be placed on inactive status, without pay if so determined necessary.
- C. EXPENDITURE: Sick leave can be expended in units of no less than ONE (1) HOUR. Any sick leave extended beyond THREE (3) consecutive days must be accompanied by a physician's written statement, certifying the employee's condition or immediate family's condition that prevented the employee from reporting to work if deemed appropriate. Sick leave may not be used as vacation leave. Any abuse of sick leave is justification for disciplinary action and possible dismissal.
- D. ELIGIBILITY:
A full-time employee may be eligible for sick leave with pay after NINETY (90) days of full-time employment. A part-time employee may be eligible for sick leave with pay after SEVEN HUNDRED TWENTY (720) hours of part-time employment.
- Employees absent from work due to any sick leave, vacation, for any disability arising from injuries sustained in the course of their employment, for all authorized leaves of absences with pay, and for authorized leaves without pay for over two biweekly pay periods, shall not continue to accumulate sick leave during such absences unless the absence is designated as FMLA (Family Medical Leave).
- E. UNAUTHORIZED USE OF SICK LEAVE: If upon investigation, the Supervisor/Department Head and City Manager does not consider the circumstances warrant, or did not warrant, the absence of an employee, the employee shall be required to change the absence to vacation leave or leave without pay, rather than sick leave and be subject to disciplinary action.

LEAVE BENEFITS

EMERGENCY LEAVE

(Definition: Emergency leave is defined as time off from an employee's regularly scheduled work day (shift) for the death or serious "injury" that requires the employee's presence, to any member of the employee's first family, e.g.; Mother, Father, spouse, child, brother, sister, grandfather or grandmother.

- A. Emergency leave, up to THREE (3) WORK DAYS per calendar year, is available to all employees from their date of employment with pay.
- B. The city manager may extend this emergency leave to five (5) working days based on the needs of the service.
- C. Those employees requesting an extension, beyond three (3) work (shift) days, without approval of the (5) working day extension shall be required to utilize vacation or sick leave, if available and eligible.
- D. Emergency leave is not accruable and will be allowed only upon the City Manager's approval.

EDUCATION LEAVE

Full time employees may be granted leave with pay for attendance at conferences, seminars, or short-courses of instruction designed to advance the technical or professional skills of the person attending. Such education or training leave must be authorized by the City Manager and/or Department Head prior to the leave being taken.

COURT LEAVE

It is desirous for all employees to fulfill their duty to serve as members of juries or to testify when called in both Federal and State Courts. Therefore, the following procedures shall regulate when an employee is called for jury duty or subpoenaed to Court:

- The employee will be granted a leave of absence when the employee is subpoenaed or directed by proper authority to appear in Federal or State court as a witness or juror.
- The employee will receive his/her regular compensation during the time he/she is serving on jury duty.
- The employee may retain all compensation or fees for which he/she receives for serving as a juror.
- If the employee is relieved from court or jury duty during working hours, the employee must report back to his/her office.
- The above provisions concerning compensation for time in court do not apply if the employee is involved in private litigation. On these occasions, the employee must take vacation leave, compensatory time or leave without pay.

LEAVE BENEFITS

MILITARY LEAVE

- A. ELIGIBILITY: An employee who is a member of the National Guard or Military Reserve may apply for Military Leave up to a maximum of TWO HUNDRED FORTY HOURS (30) working days per year. Copies of Military orders must accompany all such requests.
- B. Monthly National Guard or Reserve meetings are not eligible for Military Leave.
- C. An employee who is activated for Military Service due to a State or National Emergency shall be granted leave without pay for the full duration of the activation requirement.
- D. Employees required to enter Military Service, as the result of a draft will retain seniority and accrued benefits, other than pay, in the event they desire to return to employee status upon separation from the Military.

Any employee appointed to a vacancy created by the granting of military leave shall have their appointment designated as "military replacement" and the length of such appointment shall be limited to the length of military leave granted the incumbent. If a new employee is hired in the same position after the military replacement, the latter employee will assume the designation of military replacement.

VOTING LEAVE

Any person entitled to vote in an election in this state may be absent from work to vote while the election polls are open for a period of time not to exceed two hours.

LEAVE WITHOUT PAY

When circumstances justify, department heads may grant leaves of absence without pay for periods not to exceed one week; additional, leave without pay must be approved by the City Manager who shall be the sole determiner of the length of such additional leave. No leave will be granted for the purpose of enabling employees to accept temporary employment with other employers.

WORKERS COMPENSATION LEAVE

Workers Compensation Leave shall be the necessary absence from duty of an employee because of an injury suffered while properly performing the duties of the position without negligence or misconduct on the part of the employee. On-the-job injuries shall be reported in accordance with the regulations and procedures on disability and safety in the Safety policy in the Administrative Policies and procedures handbook.

LEAVE BENEFITS

LIGHT DUTY

Upon the determination by a medical authority, that an employee can be released to perform light duties, the Human Resource Director will inform the department head or supervisor. The notice will be in writing and will identify the extent of work that can be performed by the employee and will include a copy of the medical release signed by a medical authority. Upon receipt of the notice, the Human Resource Director will contact the employee and arrange an appointment to discuss the limits of their ability to perform tasks.

After the interview and determination of tasks that can be accomplished, the Human Resource Director/Supervisor will inform the Department Head and City Manager of the tasks that the employee can perform and will contact the department head or supervisor.

If employee is eligible, the Human Resource Director/Supervisor will contact the employee and tell them that a light duty job has been identified, where they will be assigned, what they will be expected to do and the date to report. The Human Resource Director will also inform the department to which the employee is regularly assigned of the light duty assignment.

The department head will be responsible to insure that the employee reports to work and accomplishes the tasks assigned; however, the employee will be allowed time off to accomplish any meetings or appointments related to their illness or injury. The employee must perform the tasks assigned satisfactorily or the light duty will be terminated and appropriate action taken.

The employee will continue in the light duty assignment until the tasks are accomplished or a return to regular duties as authorized or a final determination is made that the employee will no longer be able to perform the essential functions of the position. . The employee will continue to receive compensation and benefits from their assigned department; however, the department to which they are assigned to perform light duty will provide the department to which the employee is regularly assigned the necessary information to complete the time sheet.

MATERNITY OR PATERNITY ABSENCE

Maternity or paternity leave of up to TWELVE (12) weeks may be taken in connection with the birth of a child, receiving custody of a child through adoption or the care of a terminally or critically ill child or dependent adult. It may be taken as sick leave with pay. After all accumulated sick leave has been used, maternity or paternity leave without pay will be granted (per FMLA guidelines).

LEAVE BENEFITS

While on leave without pay, the Employee shall be eligible to continue the City Employee Group Health & Life Insurance coverage of the Employee upon proper application and payment of premiums.

LEAVE SHARING PROGRAM

- A. The Leave Sharing Program is in place to provide full-time employees who have completed one year of continuous service with the City of El Reno assistance when the employee has exhausted all available leave due to serious illness or injury to the employee or employee's immediate family member. When an employee or the employee's immediate family member has been deemed unable to work or care for himself or herself by a medical care provider due to hospitalization or due to a serious illness or injury requiring the employee be absent from work for an extended period of time causing the employee substantial loss of income.

Employees receiving Shared Leave must understand that the leave they are receiving comes from the goodness of their fellow employees, consequently employees who are eligible and who are granted Leave Shared, may not entitled to work a secondary job while receiving Leave Shared. Any employee who shall receive payment for work performed for any other employer other than the City while receiving Shared Leave shall be subject to immediate termination.

- B. As used in this section:
1. "Relative of the employee" shall be limited to the spouse, child, stepchild, grandchild, grandparent, stepparent, or parent of the employee;
 2. "Household members" means the person(s) who reside in the same home, who have reciprocal duties to and do provide financial support for one another. This term shall include foster children and legal wards even if they do not live in the household. The term does not include persons sharing the same general house, when the living style is primarily that of a dormitory or a commune.
 3. "Severe" or "extraordinary" means serious, extreme or life threatening; and
 4. "City employee" means a permanent employee with over SIX (6) MONTHS continuous service with the City. It does not include employees in probationary status or on temporary or other limited term appointments.
- C. An employee may be eligible to receive shared leave pursuant to the following conditions:
1. The City Manager determines that the employee meets the criteria described in this section; and
 2. The employee has abided by City policies regarding the use of sick leave.

LEAVE BENEFITS

- D. An employee may share sick leave to another full-time employee only pursuant to the following conditions:
1.
 - (a) The receiving employee has exhausted, or will exhaust, all compensatory leave and sick leave due to an illness, injury, impairment, or physical or mental condition, which is of an extraordinary or severe nature, and involves the employee, a relative of the employee, or a household member;
 - (b) The condition has caused, or is likely to cause, the employee to go on leave without pay or terminate employment; and
 - (c) The City Manager permits the leave to be shared with an eligible employee.
 2. The sharing employee may share any amount of sick leave provided the sharing does not cause the sick leave balance of the employee to fall below FORTY (40) HOURS.
 3. Employees may not donate excess sick leave that the donor would not be able to otherwise take.
- E. The City Manager shall determine the amount of shared leave an employee may receive and may only authorize an employee to use up to a maximum of SIXTY (60) DAYS of shared leave during total employment.
- F. The City Manager shall require the employee to submit, prior to approval or disapproval, a medical certificate from a medical care provider verifying the severe or extraordinary nature and expected duration of the condition.
- F. Shared sick leave is transferable between employees.
- G. The receiving employee shall be paid his/her regular rate of pay.
- H. Any shared leave may only be used by the recipient for the purposes specified in this section.
- I. Sick and Compensatory leave available for use by the recipient must be used prior to using shared leave.
- J. All shared leave must be given voluntarily. No employee shall be coerced, threatened, intimidated, or financially induced into sharing sick leave for purposes of the leave-sharing program.
- K. If leave share program terms have been violated, the leave share will terminate for employee.

LEAVE BENEFITS

PROCEDURES FOR LEAVE SHARE

A current City employee who experiences a serious illness or injury as defined above in (B-3) may submit a Leave Share request form if they have or will be exhausting all of their accrued leave. This form can be obtained through the Human Resources Office. **Completed form will need to be returned to the Human Resources Director for their review. The Human Resources Director will obtain approval from the Department Head and City Manager. Details for the request will be kept confidential.**

If the employee's description is not sufficient for the approving official to make a decision to approve or disapprove the request, additional information may be requested from the employee regarding the nature, severity, or duration of the serious illness or injury. ***If this occurs the request will be made under the guidelines of the Family Medical Leave Act (FMLA) and the City will require certification from the treating Medical Care Provider.***

Submission of the physician's statement (if necessary) will be in addition to any prior physician certification which is generally required for absences of sick leave in excess of three days.

FRINGE BENEFITS

GROUP HEALTH AND LIFE INSURANCE

The City offers health insurance for full-time regular employees and pays a portion of individual employee's premium and a portion of the dependents premium by payroll deduction. The City and Employee contributions to the health insurance premium will be reviewed annually. The City also pays for the total cost of life insurance for each regular employee in an amount designated by the Insurance policy (additional may be requested and purchased by employee). Employees may also elect to have employee and family member coverage for dental and vision at their own cost.

HOLIDAYS

The following Holidays will be observed by City employees:

1. New Year's Day
2. Martin Luther King Day
3. President's Day
4. Good Friday
5. Memorial Day
6. Independence Day
7. Labor Day
8. Thanksgiving Day
9. Friday after Thanksgiving
10. Christmas Eve
11. Christmas Day

Recognized City holidays which fall on a weekend follow the procedure below

If the holiday falls on a Saturday, the preceding Friday will be considered the holiday; and if the holiday falls on a Sunday, the following Monday shall be considered the holiday. If an employee is sick or on vacation, the employee will not be charged sick or vacation leave for the declared holiday during the absence.

If an employee, who is eligible to receive overtime, is required to work an authorized holiday, he shall be compensated according to one of the following as deemed applicable:

1. If an employee is scheduled to work an authorized holiday, the employee shall receive either an additional eight (8) hours of pay for the holiday, or another day off during the same work period.
2. If an employee is called to work on an emergency basis, all hours paid for work performed on a holiday will be paid at twice the normal rate or pay for all hours completed during said holiday.
3. If a holiday falls on the employee's scheduled day off, the employee shall receive either an additional eight (8) hours of pay for the holiday, or another day off during the same workweek.

FRINGE BENEFITS

4. An employee who has worked at least forty (40) hours in a work week, and is required to work an authorized holiday, shall be compensated at time and one-half for the hours actually worked on that holiday in addition to receiving another day for the holiday.

If an employee calls in sick the on a regular work day before or after the holiday the employee will not receive pay for the holiday unless he/she provides documentation that shows the employee was under the care of a certified medical professional.

MILEAGE AND TRAVEL EXPENSE

City employees will be reimbursed for expenses incurred while out of town on City business. Employees shall provide receipts and/or documentation of expenditures and turn them in to the Finance Department for reimbursement. The City may impose maximum amounts for which employees may be compensated for individual meals or daily meals and for accommodations. Employees traveling on City business must have permission of the department head and/or the City Manager in advance, and should make every effort to minimize expenses. Mileage rate is subject to federal tax regulatory changes. Any damage involved shall be at the expense of the employee.

EDUCATIONAL INCENTIVE PROGRAM

An educational incentive is designed to encourage employees to work towards increasing their formal education and obtaining a degree from an accredited college or university that pertains directly to their position or department.

- A. ELIGIBILITY: Employees who continue their education and successfully complete a degree plan that is directly related to their position with the City shall be eligible for the education incentive. *Members of the FOP and IAFF are exempt from this incentive as they have an education incentive currently in place under their current contracts with the City.*

The employee must be employed as a full-time employee with the City of El Reno for at least one (1) year of continuous service, and have successfully completed their probationary period within their department. The employee's most recent evaluation rating must reflect a "Fully Meets," or "Outstanding."

FRINGE BENEFITS

The employee must submit a degree plan to be eligible for this program and the City Manager must approve the degree plan before the employee begins. Courses must be position, or City related. The employee must receive a letter grade of “C” or above in college or university undergraduate courses and a letter grade of “B” or above in a graduate course. A certificate of satisfactory completion for a vocational education course will be sufficient. The maximum hours allowed per semester will not exceed six (6) hours unless otherwise approved, with a maximum of \$600 per semester to be reimbursed to the employee for non-tuition related expenses such as books, travel, fees, etc. Documentation of all related expenses will accompany the request for reimbursement.

- B. EDUCATIONAL INCENTIVE PAY: Employees shall receive a one (1) step increase within the employee’s pay grade for every two years of college or university education for which a degree is conferred relevant to the position or the department, as determined by the department head and the Human Resource Director. The incentive will only be given if appropriate funding is available during the current fiscal year. Any employee having previously received an educational incentive for a college or university degree shall only receive one (1) step increase for the next highest degree earned, as determined by the department head and Human Resources Director.
- C. PROCESSING: Once the employee has completed the approved degree plan, the employee will submit an official transcript from the vocational school, college, or university to the Department Head. The official transcript will be forwarded to the Human Resource Office and/or will be attached to the employee’s next annual evaluation at which time the employee will receive additional steps for the degree obtained.

OUT-SIDE EMPLOYMENT

Employment with the City shall be considered the primary employment of all full-time employees. A City employee shall not engage in outside employment unless his /her department head and the City Manager give such employee written approval. A copy of such approval shall be placed in the employee's personnel file. Outside employment shall be approved provided that such does not affect the efficiency of the employee and there is no conflict of interest. Employees may not engage in outside employment or business activities while on duty with the City, nor may City property be used for any purpose other than City business or functions.

CONDUCT

PERSONAL APPEARANCE AND DEMEANOR

Discretion in style of dress and behavior is essential to the efficient operation of the City of El Reno. Employees are, therefore, required to dress in appropriate attire and to behave in a professional manner. Please use good judgment in your choice of work clothes and remember to conduct yourself at all times in a way that best represents you and the City.

DRESS CODE:

- Dress appropriately for the nature of your work.
- Safety considerations, such as necessary precautions when working near machinery or hazardous work areas; employees will be required to wear proper safety equipment at all times, without exception for any reason.
- The nature of their public contact if any, the normal expectations of outside parties with whom they will work. This means that dresses and/or skirts should not be shorter than 2” above the knee and/or follow the fingertip rule, no tank tops, spaghetti straps, and/or tube tops, and shirts should never show midriff and sheer tops must have a solid top underneath; men’s jeans must be worn at the waist and their buttocks should never show.
- Casual Fridays - jeans are acceptable (no holes above knee), however, shorts are NOT (except as otherwise approved due to the nature of the work).
- The prevailing dress practices of other workers in similar jobs.

Employees are required to keep their work environments clean and orderly. Before departing in the evening, employees should lock all files and cabinets and clear all work materials from desk surfaces, especially materials of a sensitive or confidential nature. Employees failing to adhere to proper standards with respect to appearance and demeanor are subject to disciplinary action.

POLITICAL ACTIVITY

No regular City employee shall participate in partisan politics during normal working hours. This means the devoting of time or labor during usual office hours toward the campaign of any candidate for office or for the nomination to any office. Use of City property, funds, or facilities for campaigning is prohibited.

CONDUCT

USE OF CITY PROPERTY

No City official or employee may use City property for his or her own personal use, unless paid for as required by any other persons.

The personal use of city vehicles is prohibited unless otherwise stated per department policy. Only authorized, licensed, qualified personnel may operate City vehicles. City vehicles shall be operated in compliance with the appropriate traffic laws and the operator manual. Only authorized personnel may ride in or on City vehicles, unless prior approval is obtained from the City Manager. All City vehicles have a "City of El Reno" insignia on them, unless they are designated unmarked police vehicles. City vehicles are highly visible to the public; therefore, they must be operated in a safe, courteous, and professional manner so as to set an example to the public. Employees who are assigned a particular City vehicle shall be responsible for keeping it clean and in neat appearance. All City Personnel must wear the seat belt while operating City vehicles. The use of tobacco products is prohibited in all city vehicles including the use of Electronic, Artificial and/or vapor. Unlawful or improper use of City vehicles is cause for disciplinary action, which may include termination.

TOOLS AND EQUIPMENT

City employees may be provided with specific tools and equipment to perform their duties. These tools should be kept in good condition and shall be returned to the City upon termination of employment. Tools, which are broken or unusable, should be reported to the supervisor immediately.

All employees are expected to exercise proper care in the use of all City property, tools and equipment. Any employee who loses City property or equipment, or who negligently damages the same, shall be responsible for the reasonable cost in replacing the items. The personal use of City equipment or tools is strictly prohibited. Violation of this policy is grounds for disciplinary action up to and including termination.

ABSENTEEISM / TARDINESS

Absenteeism or tardiness that is unexcused or excessive in the judgment of the City Manager and/or Department Head is grounds for disciplinary action, up to and including dismissal. Continued, unexplained absenteeism for a period of THREE WORKING DAYS will be considered voluntary termination and the vacant position will be filled.

CONDUCT

Notification from another employee or relative is not acceptable, except under emergency conditions. An excused absence may include personal or family illness, jury duty, bereavement, or other reasons that would require an employee to miss all or part of a scheduled workday. The employee should be prepared to substantiate the reason for his absence if asked. If the employee is absent frequently, the employee will be required to furnish documentation, including a medical statement from the employee's doctor.

Unsatisfactory attendance whether reported correctly or incorrectly will affect the employee's annual evaluation in a negative manner and could directly affect decisions for advancement in employment with the City.

GIFTS OR FAVORS

Gifts for appointments: no person seeking appointment to or promotion in the service of the City, shall either directly or indirectly give, render, or pay money, service, or other valuable things to any person for, on account of, or in connection with a test, appointment, proposed appointment, promotion or proposed promotion.

Receipt from 3rd parties: no reward, gift, favor, or emolument of value or other form of remuneration in addition to regular compensation shall be received by any employee for the performance or non-performance of duties from any vendor, contractor, individual or firm, or from any source having or proposing to have any relationship with the City.

Value shall be defined as any item or service which could be exchanged for a substantial amount of money, goods, or services; or is offered for the purpose of persuading a City Employee to not be impartial in their decision when such receipt when seen by an outside party would indicate something of value.

GUIDELINES FOR APPROPRIATE CONDUCT

As an integral member of the City team, you are expected to accept certain responsibilities, adhere to acceptable business principles in matters of personal conduct, and exhibit a high degree of personal integrity at all times. This not only involves sincere respect for the rights and feelings of others, but also demands that both in your business and personal life you refrain from any behavior that might be harmful to you, your co-workers, and/or the City, or that might be viewed unfavorably by the public at large.

WHETHER YOU ARE ON DUTY OR OFF, YOUR CONDUCT REFLECTS ON THE CITY OF EL RENO. YOU ARE, CONSEQUENTLY, ENCOURAGED TO OBSERVE THE HIGHEST STANDARDS OF PROFESSIONALISM AT ALL TIMES.

CONDUCT

Types of behavior and conduct that the City considers inappropriate include, but are not limited to, the following. This is not a complete list and the City reserves the right to investigate, make judgments and take appropriate disciplinary action in each individual incident. The level of severity of any infraction is solely at the discretion of the City.

- Falsifying employment or other City records.
- No false statements or FRAUD
- Violating the City nondiscrimination and/or sexual harassment policy.
- Soliciting or accepting gratuities.
- Excessive absenteeism or tardiness.
- Excessive, unnecessary, or unauthorized use of City supplies, particularly for personal purposes.
- Reporting to work intoxicated or under the influence of no prescribed drugs, and illegal manufacture, possession, use, sale, distribution or transportation of drugs.
- Bringing or using alcoholic beverages on City property or using alcoholic beverages while engaged in City business off City premises, except where authorized.
- Fighting or using obscene, abusive, or threatening language or gestures.
- Theft of property from co-workers or the City.
- Unauthorized possession of firearms on City premises or while on City business.
- Disregarding safety or security regulations. Insubordination or willful refusal to follow an order.
- Failing to maintain the confidentiality of protected information.
- Conviction of a serious crime.
- Falsifying time keeping records with intent to defraud.
- Deliberate or willful misrepresentation of policy.
- Willful damage or destruction of City property.
- Loafing, loitering or sleeping during work time.
- Neglect of duty or incompetence.
- Improper recording of time worked.
- Work performance which is below the standards of performance required by the department.
- Distribution or posting of written or printed matter that is not authorized by the City.

Should your performance, work habits, overall attitude, conduct or demeanor become unsatisfactory in the judgment of the City Manager and/or Department Head based on violations either of the above or of other City policies, rules, or regulations, you will be subject to disciplinary action, up to and including dismissal.

CONDUCT

No officer or employee of the City shall have a 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 any land, materials, or supplies, or services except on behalf of the City as an officer or employee.

ANTI-HARASSMENT POLICY

The City is committed to establishing a professional and congenial work environment and will take reasonable steps to insure that the work environment is pleasant for all who work here. All employees are expected to treat others with courtesy, consideration and professionalism. The City will not tolerate the harassment of any employee or any member of the public by any other employee, supervisor or customer. Employees may not use epithets, slurs or other terms or language designed to threaten, insult, intimidate or show hostility to another. Employees are prohibited from posting or circulating in the workplace any written or graphic materials or other objects that attack, defame, belittle, degrade or show hostility or aversion to any person or group of people. In addition, harassment for any discriminatory reason, such as race, gender, national origin, disability, age, religion or veteran status is prohibited not only by State and Federal laws but also by the policies of the City. The City prohibits not only unlawful harassment but other types of unprofessional and discourteous conduct. Accordingly, derogatory, racial, ethnic, religious, age, gender, sexual orientation, sexual or other inappropriate remarks, slurs, "jokes," written material or actions will not be tolerated in the workplace.

Included in this prohibition is a prohibition against sexual harassment, which includes unwelcome sexual advances, requests for sexual favors, or any other visual, verbal or physical conduct of a sexual nature when:

1. Submission to the conduct is made either implicitly or explicitly a condition of the individual's employment;
2. Submission to or rejection of the conduct is used as a basis for an employment decision affecting the harassed employee; or
3. The harassment has the purpose or effect of unreasonably interfering with the employee's work performance or of creating an environment which is intimidating, hostile or offensive to the employee.

Each employee must exercise his own good judgment to avoid engaging in conduct that may be perceived by others as harassment. Forms of harassment include, but are not limited to, the following:

1. Verbal: Repeated sexual innuendos, racial or sexual epithets, derogatory slurs, off-color jokes, propositions, threats or suggestive or insulting sounds;
2. Visual/Non-Verbal: Derogatory posters, cartoons, telefaxes, drawings, suggestive objects or pictures, graphic commentaries, leering or obscene gestures;

CONDUCT

3. Physical: Unwanted physical contact including touching, interference with the individual's normal work movements or threatening gestures; and
4. Other: Making or threatening reprisals as a result of a negative response to a harassing action.

Any employee or applicant who feels that he or she has been subjected to harassment or otherwise has been discriminated against due to his or her race, color, religion, national origin, gender, sexual orientation, age, disability or veteran status or who witnesses such harassment of or discrimination against another employee, should promptly report the incident. A complaint form is available in the Personnel Office. Although employees are encouraged to discuss issues of alleged harassment or discrimination with their immediate supervisor, they may by-pass their immediate supervisor and report the incident directly to the Personnel Director. In the event the employee believes the Personnel Director is involved in the harassment or discrimination, the employee may bring the complaint to the attention of the City Manager. Further, any supervisors who gains information concerning allegations of harassment or discrimination is to immediately report the same to the Personnel Department.

All complaints of harassment or discrimination will be investigated. In determining whether alleged conduct constitutes harassment or discrimination, the totality of the circumstances, the nature of the harassment and the context in which the alleged incidents occurred will be considered. Except as deemed necessary to investigate and remedy violations, management will keep any complaint and the information revealed in the investigation as confidential as possible.

All employees are strongly encouraged to use the complaint procedures set forth herein if they believe they have been subjected to discrimination or harassment. Before it becomes a serious problem and the conduct interferes with an individual's work performance or creates a hostile environment, employees are encouraged to notify management of conduct that may violate this policy. That will allow management time to address the situation.

The initiation of a complaint, in good faith, will not be grounds for discipline. It is a violation of the City's policy for an individual to be disciplined or otherwise disadvantaged as a result of a good faith resort to this complaint procedure. However, deliberately reporting false allegations may be considered as a form of harassment and may subject an employee to appropriate discipline.

CONDUCT

If a person is determined to have violated this policy, the City will take appropriate action designed to prevent any further incidents of inappropriate behavior. If necessary, this could include disciplinary action up to and including termination. In addition, management and supervisory employees may face disciplinary action if they fail to take corrective action after becoming aware of the existence of harassment or discrimination, regardless of whether the victim has filed a formal complaint.

DRUG-FREE WORKPLACE ACT OF 1988

In accordance with the Drug-Free Workplace Act of 1988, the City of El Reno hereby notifies all employees that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the workplace. Any employee found to have violated this prohibition may be subject to disciplinary action up to and including dismissal or be required to satisfactorily participate in a drug abuse assistance or rehabilitation program as a condition of continued employment. The drug abuse assistance/rehabilitation program shall be one that has been previously approved for such purposes by a federal, state, or local health, law enforcement or other appropriate agency. The imposition of such disciplinary action or requirement to satisfactorily participate in a drug abuse assistance/rehabilitation program is premised solely upon a violation of this prohibition and does not require a criminal conviction.

As a condition of employment at the City of El Reno, all employees will:

- Comply with the terms of this statement; and
- Notify the City (through their immediate supervisor, Department Head or City Manager) of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such a conviction.

Such conviction may, of course, result in the employee being disciplined or required to satisfactorily participate in a drug abuse assistance/rehabilitation program as specified above. Failure of an employee to report his/her conviction, as required above herein, constitutes grounds of dismissal.

The City of El Reno Alcohol & Controlled Substance Testing Policy and Procedures can be found as Attachment 1 in the back of your Handbook.

CONDUCT

EMPLOYEE ASSISTANCE PROGRAM (EAP)

Employees have an opportunity to receive diagnostic referral services and covered professional counseling or other services by an EAP selected by the City. Such visits and referrals are confidential except when conditioned by a Supervisory referral. The City will work with a professional EAP to ensure confidentiality, chain of custody if necessary of any drug tests, and adherence to professional standards. Employees will receive the necessary information about this EAP from their supervisor, Human Resource Director or from the provider.

GRIEVANCE PROCEDURES

1. Any employee having a grievance shall have the right to appeal the grievance without fear of reprisals from exercising of this right.
2. Such appeal is to be first presented to the employee's immediate supervisor in writing. The supervisor receiving the grievance is to carefully consider the matter, attempt to arrive at a full understanding of the employee's alleged grievance, and give the employee a clear and specific answer. A copy of the appeal and response is to be transmitted to the Department Head.
3. If the employee is unsatisfied, the employee may appeal to the Department Head who will then respond in a timely manner. The appeal and response will be transmitted to the City Manager.
4. If the employee is unsatisfied, the employee may appeal to the City Manager.

(All appeals and answers must be in writing and within (5) working days of previous response, The City Manager's response on the final appeal will be given within (10) working days unless more time is needed.)

EMPLOYMENT SEPARATION

Upon separation, the employee must report to the Human Resource Director's office for an exit interview and to make arrangements for the final paycheck.

RESIGNATIONS

An employee wishing to leave employment with the City of El Reno in good standing must file a written resignation with the Department Head and/or City Manager at least TWO (2) WEEKS prior to the effective date, stating reason(s) for the resignation.

LAYOFF

An employee may be subject to a non-disciplinary, involuntary termination through layoff in connection with a shortage of funds, abolition or a position, or lack of need for the work performed by an employee or group of employees. The City Manager should make every effort to give at least TWO (2) WEEKS notice. In such case, the employee is entitled to accrue benefits.

DISCHARGE

In order for the City of El Reno to carry out its obligations and priorities in the most efficient manner possible, the City adheres to the principles of at-will employment whereby the City and employees alike can terminate the employment relationship at any time and for any reason.

USE OF LEAVE

Any employee, who is dismissed, terminated, or quits during their first year of employment, shall NOT receive any compensation for any acquired vacation (the employee is vested in vacation leave after a 12 month period). An employee terminating from City service shall not be allowed to use sick leave in the last two calendar weeks of employment with the City (unless in conjunction with FMLA).

RETIREMENT

All full-time employees are required to participate in both the FICA/Medicare, unless exempted by law, and must also participate in one of the other retirement programs. Police and Fire employees are required to join the State Police and Fire Retirement Systems respectively, and other municipal employees must join the City's retirement program with the current carrier, unless designated as an exempt employee and allowed to participate in another program. Contributions to all of the retirement systems are made by payroll deduction for the employee's contribution with the City also making a contribution, according to the terms of the respective retirement systems. Employees contemplating retirement should contact the Human Resources Director at least six (6) months prior to the expected retirement date to receive information about retirement options and procedures.

DISCIPLINARY PROCEDURES

PURPOSE OF DISCIPLINE

Discipline is an “intelligent, willing and cheerful compliance to the policies and procedures of the organization. It is the cohesive force which binds the members as a unit, and its strict enforcement is a benefit to all.” Discipline establishes a positive attitude, which produces proper action and prompt cooperation under all circumstances. Discipline directly influences the quality of City services, and is essential in any city department to guide its performance and to achieve satisfactory objectives. Laxity in discipline impairs the efficiency and effectiveness of the Department, and its absence may result in a lack of direction and purpose, thereby leading to a disorganized Department. It is a form of superiors to train subordinates to comply with the department rules and procedures. The rewards of effective discipline are gaining public confidence in the Department and its leadership.

APPLICABILITY

Employees of the City of El Reno, regardless of rank, age, sex, or assignment, shall be subject to disciplinary action, according to the nature or aggravation of the offense, for failure, either willfully or through negligence or incompetence, to perform the duties of their rank or assignment; or for failure to comply with any lawful instruction, order, or command of a superior officer, or upon conviction in a court having criminal jurisdiction. Disciplinary action in all cases will be decided on the merits or demerits of each case. The final authority for disciplinary action rests with the City Manager.

TYPES OF DISCIPLINARY ACTIONS

At the discretion of the City Manager and/or Department Head and in accordance with the provisions of the Rules and Regulations prescribed herein, employees are subject to any of the following types of disciplinary actions:

- Oral reprimand
- Written reprimand
- Written reprimand with up to 10-day suspension without pay
- Demotion in pay or rank
- Dismissal

AUTHORITY TO DISCIPLINE

The City Manager may suspend any officer or employee of the City of El Reno without pay for a period not to exceed TEN (10) consecutive workdays. The suspension of any employee for a period of time greater than Ten (10) days shall be approved by the City Manager on the advice from the City Attorney. Department Heads may request that employees in their department be demoted in rank, suspended with or without pay, or dismissed by the City Manager. The Department Head shall furnish the City Manager a written statement showing the reasons for this request.

WORKPLACE RELATIONSHIPS

Consenting romantic or sexual relationships between employees, and especially between a supervisor/manager and an employee, may at some point lead to complications and significant difficulties for all concerned — the employee(s), supervisor/department head, co-workers, and The City.

If a romantic or sexual relationship between employees occurs, the involved employees must disclose the existence of the relationship to both the City Manager and Human Resource Director and the subject employee's personnel files shall be documented of the consensual relationship to avoid harassment claims. If the City Manager determines that said relationship harms or creates the possibility for fracture of City services or Staff conflicts, one or both employees may have to leave the City's employment.

If the relationship is between a supervisor/department head/manager and an employee, it shall be the responsibility and mandatory obligation of the supervisor/department head to promptly disclose the existence of the relationship to the City Manager and the Human Resource Director. The employee may make the disclosure as well, but the burden of doing so shall be upon the supervisor/manager.

Upon being informed or learning of the existence of such relationships, The City may take all steps that it, in its discretion, deems appropriate, especially as it relates to ensuring that the situation leaves The City with the most productive and non-conflict work environment, even if one or both of the employees must leave the City's employment. This shall apply without regard to gender and without regard to the sexual orientation of the participants in a relationship of the kind described.

ALCOHOL & CONTROLLED SUBSTANCE TESTING POLICY AND PROCEDURES

POLICY STATEMENT

The City recognizes the importance of a drug and alcohol free workplace. The abuse of drugs, alcohol or other chemical substances by an employee endangers the safety of the public, the employee, and other City employees. The City recognizes that it is in its best interest, as well as the best interest of its employees and the public, to prevent and eliminate drug, alcohol and/or substance abuse in the work place. Any employee found using, possessing, selling, distributing or being under the influence of an illegal chemical substance and/or alcohol during working hours or while on City property or while using City equipment will be subject to discipline up to and including termination of employment or the opportunity for voluntary resignation.

EFFECTIVE DATE

This policy will be effective ten (10) days after posting in a prominent place at all City facilities where employees routinely report for duty and following distribution of the policy to all employees. In addition, a copy will be given to each applicant for employment upon receipt of a conditional offer of employment.

APPLICATION

This policy applies to all employees as well as all applicants for employment once they have received a conditional offer of employment. This policy will comply with the Oklahoma Standards for Workplace Drug and Alcohol Testing Act, 40 O.S. §551, *et seq.* (Act) as amended.

APPLICANT PRE-EMPLOYMENT TESTING

All applicants will undergo drug and/or alcohol testing following a conditional offer of employment, but prior to final hiring and assignment. Refusal to undergo a test, or a positive or diluted test, will result in the City withdrawing its conditional offer of employment. In addition, adulteration of a specimen for a drug or alcohol test will be considered as a refusal to undergo a test.

FOR CAUSE TESTING

Drug and/or alcohol testing may be conducted on any employee at any time the City has reasonable suspicion there is cause to believe an employee may be under the influence of drugs or alcohol, including, but not limited to, the following circumstances:

- Observation of drugs or alcohol on or about the employee's person or in the employee's vicinity;
- Observation of conduct on the part of the employee that suggests that the employee is impaired or is under the influence of drugs or alcohol;
- Receipt of a report of drug or alcohol use by an employee while at work;
- Information that an employee has tampered with drug or alcohol testing at any time;

- Negative job performance patterns by the employee; or
- Excessive or unexplained absenteeism or tardiness.

The supervisor will verbally inform the employee of the reason for the test. Additionally, a written record of the situation leading to the drug or alcohol test will be created and signed by the supervisor(s) within 24 hours of the event. A copy of the report will be forwarded to the Human Resources Department.

The employee involved must stop work immediately and will be transported as soon as possible to the designated testing facility by a management/supervisory employee. The employee will not be allowed back to work until the results of the test are known.

POST-ACCIDENT TESTING

Post-Accident drug and/or alcohol testing may be conducted on an employee where there has been damage to City property or equipment while the employee was at work or the employee or another person has sustained an injury while at work. The post-accident test will be administered while the employee is still on duty or as close to as possible. No employee required to take a post-accident alcohol or drug test may use any alcohol or drugs, of any kind, following the accident until the employee undergoes the post-accident testing.

RANDOM TESTING

The City may, at various times, randomly select members of the following employment groups, at its discretion, for unannounced random testing for drugs or alcohol:

- police officers;
- firefighters;
- persons engaged in activities which directly affect the safety of the public;
- employees whose work involves contact with inmates in the custody of the Department of Correction; or
- employees whose work requires possession of a CDL.

PERIODIC SCHEDULED TESTING

The City may require an employee in any of the employment groups identified in (Random Testing) above to undergo drug or alcohol testing as part of routinely scheduled employee fitness for duty examination or in connection with the employee's return to duty from a leave of absence.

POST REHABILITATION TESTING

The City may require an employee to undergo drug and/or alcohol testing, without prior notice, for a period of up to two (2) years after the employee's return to work following a confirmed positive test result or following participation in a drug or alcohol dependency program. Post-rehabilitation testing will be conducted in addition to any other testing the employee is subject to under this policy.

SUBSTANCE FOR WHICH TESTS MAY BE GIVEN

The City reserves the right to test for all drugs and for the presence of alcohol. The test for drugs may include, but are not be limited to: amphetamines, cannabinoids, cocaine, phencyclidine (PCP), hallucinogens, methaqualone, opiates, barbiturates, benzodiazepines, synthetic narcotics, designer drugs, steroid or a metabolite of any of the above.

Threshold reporting levels will be those established and maintained by the Federal Department of Transportation and as utilized by the National Institute for Drug Abuse (NIDA). Any positive levels below those established reporting levels will not be reported to the City's Review Officer by the testing laboratory.

METHODS AND DOCUMENTATION

Collection, storage, transportation, testing facilities and testing procedures will be conducted in accordance with rules established by the State Board of Health. Samples may be collected on the premises of the City at its election. Body component samples will be collected with due regard to the privacy of the individual being tested. In no case may any City employee directly observe collection of a urine sample. A written record of the chain of custody of the sample will be maintained until the sample is no longer required.

All sample testing will conform to scientifically accept analytical methods and procedures. Testing will include confirmation testing of any positive test results by gas chromatography, gas chromatography-mass spectroscopy, or an equivalent scientifically accepted method of equal or greater accuracy as approved by the State Board of Health at the cut off levels as determined by the State Board of Health. In the case of the use of Breathalyzer testing method, no discipline may be imposed unless there is a confirmation test performed on a second sample that confirms the prior results.

Presumptive Portable Breath Test: upon suspicion that an employee is under the influence of alcohol during working hours, a RPBT may be administered by the El Reno Police Department for positive/negative test results.

An applicant or employee will be given the opportunity to provide notification of any information which he/she considers relevant to the test, including currently or recently used drugs or other relevant information. In the event that an applicant or employee wishes to challenge the results of the City's test, he/she may do so as provided in this policy. The applicant or employee must have had the sample collected within one hour of the City's sample and such retest must be in accordance with the standards set forth by the State Board of Health and in this policy.

COST

The City is responsible for all costs associated with drug or alcohol testing. However, if an applicant or employee requests a confirmation test of a sample within twenty-four (24) hours of receiving notice of a positive test result in order to challenge the results of the positive test, the applicant or employee is responsible for the cost of the confirmation test unless the confirmation test reverses the findings of the challenged positive test. In such case, the City will reimburse the person for the cost of the confirmation test.

REFUSAL TO UNDERGO TESTING OR TAMPERING WITH SAMPLE

Employees who refuse to undergo testing according to the terms of this policy will be subject to disciplinary action up to and including termination. Adulteration of a specimen or of a drug or alcohol test will be considered as a refusal to undergo a test and will result in disciplinary action up through and including termination of employment.

REVIEW OFFICER

The City may contract with a Review Officer who will receive confirmed positive test results from the testing facility and evaluate those results in conjunction with the subject employee and/or applicant. The Review Officer will be qualified by the Board of Health to receive, interpret and evaluate the test results. Upon receiving a confirmed positive test result, the Review Officer will contact the applicant or employee prior to notification of City officials. Shall the City forego a contract with a Review Officer, the City Manager, Assistant City Manager or HR Director may act as the Review Officer. The applicant or employee will be given the opportunity to explain the test results.

CONFIDENTIALITY

The City will treat all tests and all information related to such tests, as confidential materials. All records relating to drug testing will be kept separated from personnel records. The records are the property of the City but will be made available to the affected applicant or employee for inspection and copying upon request and will also be available for review by the City' Review Officer. Except as set forth below, the records will not be released to any person other than the applicant or the employee without that person's express written permission. However, the City may release the records:

- To comply with a valid judicial or administrative order;
- As admissible evidence in a case or proceeding before a court of record or administrative agency if the employee or the City is named as a party in the case or proceeding; or
- To employees or agents of the City who need access to the records in connection with the administration of this Policy and the Act.

DISCIPLINARY ACTION

The City may elect to take disciplinary action, up to and including termination of employment, against an employee who: 1) tests positive or diluted for drugs and/or alcohol; 2) refused to test under this policy; or 3) adulterates a specimen for a drug or alcohol test.

- 1) The City will evaluate the employment history of any employee who tests positive for drugs and/or alcohol. The appropriate course of action will be determined based on the employee's total work record. Where deemed appropriate by management, an employee may be offered the opportunity to enter into a rehabilitation program. Continued employment will be contingent upon the successful completion of a rehabilitation program and an agreement to undergo periodic drug and/or alcohol post-rehabilitation testing for up to two (2) years. However, the City reserves the right to initiate disciplinary action, up to and including termination of employment, for the first positive test result. A decision regarding disciplinary action under this policy by management will be final and binding. Voluntary resignation may be acceptable with authorization of the City Manager.
- 2) Employees who have tested positive, and who have been offered the opportunity to participate in a rehabilitation program in lieu of termination of employment, will not be allowed to return to work until they can provide a verified negative "return to work" test from a City approved facility. An employee may be allowed a maximum of 12 weeks to provide a verified negative "return to work" drug or alcohol test. If a negative test is not provided within 12 weeks, the employee will be terminated from employment. Until a negative "return to work" test is supplied, the employee will be on leave without pay. However, an employee may request permission to use accrued sick leave and vacation leave. An employee may request a "return to work" test no sooner than two weeks from a positive test result, and subsequently every other week thereafter, until a negative "return to work" test is obtained. Employees refusing to seek help or submit to testing in accordance with this policy will be subject to disciplinary action.
- 3) In the event the City does not terminate the employment of an employee who has a positive test result, the employee who enters a rehabilitation program after the positive test results will be permitted to do so only once. Any future recurrence for abuse with the same or any other substance will result in termination of employment. Voluntary resignation may be acceptable with authorization of the City Manager.

- 4) An employee who is discharged from employment on the basis of refusal to undergo drug or alcohol testing or based on a positive drug or alcohol test will be considered as having been discharged for misconduct for the purpose of unemployment compensation and the City will protest any application for unemployment benefits. Voluntary resignation may be acceptable with authorization of the City Manager.

PROHIBITIONS

No employee may report for duty within four hours after using alcohol or remain on duty while having an alcohol concentration of 0.04 or greater and no supervisor will permit any employee to perform any work duties if the supervisor is aware the employee has an alcohol concentration of 0.04 or greater. No employee will be on duty or operate a City vehicle/equipment or perform job duties while in possession of alcohol nor use alcohol during duty time. Further, no employee may report for duty, drive a City-owned vehicle, operate City equipment or remain on duty when the employee has used any controlled substance, except when the use is pursuant to the instructions of a physician and where the physician has advised an employee the substance will not adversely affect an employee's ability to drive a vehicle or operate equipment. No supervisor having knowledge that an employee has used a controlled substance may permit an employee to be on duty or drive/operate any City vehicle or equipment.

RESPONSIBILITIES OF INDIVIDUALS

In order to comply with the provisions of this policy, each employee assumes the following responsibilities:

- 1) *Working under the Influence of Performance Impairing Medication:* Employees who have been prescribed legal medications that might affect the safe performance of their duties are required to notify their supervisors prior to performing any hazardous or dangerous tasks.
- 2) *Reporting to Work or Working While Impaired:* Employees may not report to work and may not continue to work while impaired by any restricted substance identified in this policy.
- 3) *Reporting Violations:* The services provided by certain employees are performed, at times, under hazardous and dangerous conditions. Thus, employees are encouraged to come forward and report any violation of this policy to management. This information may be instrumental in the prevention of serious accidents and injuries on the job.

PLACE IN PERSONNEL FILE

READ CAREFULLY BEFORE SIGNING BELOW

Personnel Manual Acknowledgment Form
Employment Statement

This is to acknowledge that I have received a copy of the Personnel Manual adopted by the City Council and understand that it outlines my privileges and obligations as an employee with the City of El Reno.

I further understand that I am governed by the contents of the Personnel Manual and that it is my responsibility to familiarize myself with all information in the handbook.

Since the information, policies and benefits described in this manual are subject to change, I understand and agree that such changes can be made by the City Council at its sole and absolute discretion, and I agree to observe these changes in all respects.

I further understand this manual is not nor is it intended to be a contract of employment. I further understand this manual is not to be interpreted by the employee as a contract of employment.

I further understand the City of El Reno retains the right of employment-at-will to terminate his/her employees at any time for any reason not prohibited by the law, and employees can terminate at will.

I further understand that this signed statement will be a permanent record in my personnel file.

Employee's Name (printed or typed) _____

Employee's Signature _____

Date _____

PLACE IN PERSONNEL FILE

READ CAREFULLY BEFORE SIGNING BELOW

ACKNOWLEDGEMENT OF
COMPENSATORY TIME OFF FOR OVERTIME AGREEMENT

I, _____, Soc. Sec.# _____, have read, understand, and have in my possession the City of El Reno’s Personnel Manual. I agree as a condition of employment to follow the policies in the manual, and if there is at any time something that I do not understand, I agree to ask.

I further understand that overtime for eligible employees pursuant to the Fair Labor Standards Act (29 U.S.C. 207(o)(2)) may be paid as compensatory time off in lieu of cash overtime payment under the guidelines of the Fair Labor Standards Act outlined in the Personnel Manual.

I further understand that this signed statement will be a permanent record in my personnel file.

EMPLOYEE’S SIGNATURE _____

HR DIRECTOR’S SIGNATURE _____

DATE _____