

THE CITY OF
GREAT BEND

EMPLOYEE HANDBOOK



www.greatbendks.net



Welcome to the City of Great Bend!

This employee manual represents the written personnel policies, procedures, and guidelines of the City of Great Bend. These policies and procedures are designed to recognize the personal needs of the employee as well as provide administrative direction, conformity, and continuity necessary to the accomplishment of assigned job responsibilities.

Please read this handbook thoroughly so that you can become familiar with the City's policies, as well as your role and responsibilities as a City employee.

The policies and information contained in this handbook may be changed or amended at any time by the City, with or without notice.

The City of Great Bend Employee Handbook does not represent a contract of employment, either expressed or implied. Our relationship is, and will always be, one of voluntary employment "at will".

The manual shall be available to all employees for review and discussion. It will be provided to all new employees during orientation. In addition, each existing employee will be provided with a copy of this revised manual.

Each Department Head and supervisor is responsible for the knowledge, representation, and execution of the policies contained herein.

Each employee is responsible for knowing the policies, procedures, and guidelines contained in the manual, and becoming aware of any changes.

The policies, procedures, and guidelines contained in this manual are not exclusive, and may not address every personnel issue. Each department within the City may have additional policies that pertain to their department that are in addition to the policies listed in this manual.

The Director of Human Resource shall see that all authorized changes are prepared and distributed to all employees.

Any questions concerning interpretation of policy, procedures to be followed, or clarification of any other subjects concerning personnel matters of the City of Great Bend will first be directed to the appropriate Department Head. If necessary, it will be forwarded to the Director of Human Resources for interpretation, review, or research. However, the City Administrator has ultimate responsibility for the formulation and implementation of the Employee Handbook and may waive any provisions of the policy as deemed necessary.

We are happy to have you as part of our organization. We hope this Employee Handbook will answer many of the questions that you may have about your job.

Our desire is to hire employees whose integrity, loyalty, teamwork, and productivity will make the City of Great Bend an outstanding organization. We are proud of our organization and hope you will share in that pride.

We also hope you will find that employment with the City of Great Bend has much to offer. We are working to ensure that the City is a pleasant place to work and is highly regarded in the community. It takes the hard work of each City employee to make this happen.

Public employment requires that all employees be aware of their responsibility to provide prompt, efficient, and courteous service to all members of our community. Remember that all work performed and all employee behavior, both on and off the job, is subject to critical review by the taxpayers of Great Bend.

If you have any questions regarding this handbook or any personnel issues, please feel free to discuss them with your Department Head or the Director of Human Resources.

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Section A Introduction

A-1 Rules Established

The following rules, regulations, and other provisions for personnel administration in the City of Great Bend, hereinafter referred to as City, are established to:

- (a) Provide fair and equal opportunity to all employees and applicants for City employment through reasonable methods of selection without regard to race, color, sex, disability, religion, age, national origin, ancestry, genetic information, sexual orientation, gender identity or expression.
- (b) Develop a program of recruitment, retention, and advancement, which will make service to the City attractive as a career and assure equitable treatment of all employees and persons seeking such a career.
- (c) Establish and maintain a uniform plan of evaluation and compensation based upon the duties and responsibilities of positions in service to the City, to assure a fair and equitable wage or salary to all employees.
- (d) Establish and promote high morale by providing good working relationships, uniform personnel policies, and equitable opportunity for advancement.
- (e) Promote and increase efficiency and economy in service to the City.
- (f) Establish City employment and personnel policies. **These policies and guidelines do not create contractual employment rights. All employees are considered to be “at-will” employees for the purposes of City employment.**

A-2 Application of Policies

These policies and guidelines shall apply to all employees in the service of the City except elected officials. To the extent an employee or official has a written contract with the city, the terms of the contract prevail over the provision of these policies.

A-3 Administrative Responsibility

- (a) The Human Resource program consists of policies and procedures related to employment with the City and shall be administered by the Director of Human Resources under the direction of the City Administrator.
- (b) Personnel Records. The Director of Human Resources, with assistance from department heads, shall keep adequate accurate records of all people employed by the City. The records shall include the employees' pay scale, time worked, accrued vacation and sick leave, all absences for vacation, sick, or other leave, accrued overtime, and all other records directed to be made and maintained under these policies and guidelines or under appropriate state or federal law. An employee's personnel file shall be available during office hours for inspection by that employee with 24 hours of advance notice to Human Resources.

A-4 Department Regulations

The head of any department may formulate in writing reasonable administrative regulations for the conduct of the department, which shall be available to all departmental employees and on file in the Human Resource office. However, no department is authorized to adopt regulations in violation of, or in conflict with, these or any other personnel regulations approved by the City Administrator and Governing Body.

A-5 Great Bend City Government

- (a) The City of Great Bend is a Mayor-Council City of the Second Class. The Mayor and City Council acting together are the Governing Body. The Mayor, who is elected at large, and eight Council Members, two elected from each ward of the City, comprise the Governing Body. The Mayor and one Council Member from each of the four wards are elected in odd-numbered years. All members of the Governing Body serve two-year terms. The Governing Body adopts all ordinances and resolutions and determines the general goals and policies of the City.
- (b) The Mayor, with the approval of the City Council, appoints the City Administrator and most Department Heads. The City Administrator is directly responsible to the Mayor and City Council for coordinating departmental activities and carry out the day-to-day responsibilities of the City.
- (c) An employee may discuss anything that affects or concerns them as a private citizen of Great Bend with the Mayor, City Council, or City Administrator. However, in matters related to employment, employees shall follow the Grievances and Hearings procedures outlined in Section I of this manual.

A-6 Residency (approved 7-20-20)

- A. It is the policy of the City to employ its residents whenever possible; however, the City recognizes that employment of persons outside its geographic boundaries is sometimes necessary and desirable. Except where residency within the City is required by state law, employees may reside outside the City except as provided below.
- B. All appointed officers shall be qualified electors of Barton County, Kansas. Refer to City of Great Bend Ordinances 2.24.020 Officers-Appointment and 2.24.030 – Residency requirements.
- C. The following requirements apply to certain positions in Public Safety:
 - a. In the Police Department, the following positions must reside within 15 minutes of the City:
 - i. Chief, Captain, Detectives and Lieutenants.
 - b. In the Fire Department, the following positions must reside within 15 minutes of the City:
 - i. Chief, Deputy Chief, and Division Chiefs.
- D. Public safety employees promoted to a position listed above will have a time period of 6 months from their date of promotion to meet the residency requirements in (c).

A-7 Definitions

As used in this handbook:

- (a) **Immediate family** means the spouse, son/stepson, daughter/stepdaughter, mother/stepmother, father/stepfather, brother/stepbrother, sister/stepsister, grandparents, or grandchildren of the employee or the employee's spouse.
- (b) An **exempt employee** is one who is not subject to the overtime provisions of the Fair Labor Standards Act (FLSA).
- (c) A **non-exempt employee** is one who, under the provisions of the Fair Labor Standards Act (FLSA), must be paid overtime (time and one-half) for time worked in excess of forty (40) hours in a calendar week. Non-exempt firefighters who work a 24-hour shift must be paid overtime for time worked in excess of two hundred twelve (212) hours per twenty-eight (28) day cycle.
- (d) A **regular employee** is one who has satisfactorily completed the initial 6-month training period established for his/her position.
- (e) A **probationary employee** is an employee who, because of unacceptable performance, has been placed on probation to determine if the employee can improve his / her performance to an acceptable level.
- (f) A **full-time employee** is one who fills a position classified as full-time and in which the employee is entitled to the City's employee benefit package.
- (g) A **part-time employee** is one who fills a position classified as part-time and in which the employee is not entitled to the City's employee benefit package.
- (h) A **seasonal employee** is one who works for a pre-determined short period of time. An example of this would be the lifeguards who start in May and finish in August.
- (i) A **volunteer firefighter** is one who is not employed on a scheduled full or part time basis. Rather, a volunteer firefighter is one who might be called to work in the event where additional help is needed.
- (j) **Governing Body** refers to the Mayor and City Council.
- (k) **Job-related injury** is an accidental injury arising out of, and in the course of employment for which the employee would be entitled to draw compensation under the worker's compensation law of the State of Kansas.

A-8 Amendment of Policies

These policies may be amended at any time in the same manner as they were adopted.

A-9 Hiring and Termination.

The Governing Body shall establish all employee positions for the City. When the Governing Body establishes a new position, they shall set a base salary for that position. The Department Head with the help of the Human Resource Director shall write a job description for each such position established by the Governing Body. The City Administrator shall be consulted prior to any termination of City employees.

Section B Ethics Policy

B-1 Policy

The City of Great Bend has established a Code of Ethics to guide its employees in the performance of their duties on behalf of the citizens of Great Bend. The City's organizational values, by which all employees are encouraged to measure their professional conduct, are as follows.

A. ORGANIZATIONAL VALUES

1. **P**rofessionalism:
 - We will display a high level of skill, competence, and pride while striving for excellence in all endeavors.
2. **R**esponsibility & Accountability
 - We will take ownership in achieving results and will hold ourselves accountable for our actions.
3. **I**nnovation & Teamwork
 - We will foster ideas that positively impact our community, and implement them through the selfless, coordinated efforts of individuals working together for the common good.
4. **D**iversity & Engagement
 - We will recognize and value all viewpoints, experiences and approaches and will engage with the community to seek help in achieving our goals.
5. **E**thics & Integrity
 - We will firmly adhere to a strict moral and ethical code; consistently and transparently doing what merits trust. **GUIDELINES FOR ETHICAL BEHAVIOR:** The following guidelines for ethical behavior are intended to reinforce the preceding ethical principles:

1. CONFLICTS OF INTEREST:

Legal Standards pertaining to Conflicts of Interests

- a. During the performance of their official duties and responsibilities, City Employees should not participate in any matter:
 - i. In violation of either K.S.A. 75-4304 or K.S.A. 75-4305, which are the Kansas Statutes dealing with Conflicts of Interest, and all Employees shall make themselves aware of the provisions of these statutes; or,
 - ii. When the Employee determines factors exist, related to the Employee, which would prevent him or her from acting in the best interests of the community or organization, as a whole, and instead would tend to cause the Employee to act in his or her own self-interest or the special interests of others to the detriment of the community or organization.

Promoting Fairness and Transparency/Higher Standards of Conduct above Legal Conflicts

- b. Even if an Employee's actions are in compliance with the provisions of Section B.1.a., the Employee shall disclose to his or her supervisor any factors related to the Employee in connection with any matter in which the Employee is involved in his or her official capacity, and which the Employee deems relevant to the concept of fairness and transparency in dealing with public business, before participating in such matter
- c. It shall be the Employee's responsibility to determine the relevant factors necessary to make the decisions set forth in Sections 1) and 2). Employees are encouraged to seek clarification and/or assistance from their supervisors, peers, the City Administrator or his/her designee, or any other person the Employee deems appropriate, in reaching his/her decision. In determining such relevant factors, the Employee shall consider all factors they believe a reasonable person in the community would consider.

2. ACCEPTANCE OF GIFTS, GRATUITIES, OR BENEFITS:

- a. City Employees should not accept any gifts, gratuities, or benefits, which a reasonable person would believe is provided to the City Employee primarily because of his/her official position, if *ANY* of the following apply:
 - i. A reasonable person would believe it is intended or is likely, to cause the Employee to act in a preferential manner towards the donor; or
 - iii. The item consists of cash, or anything easily convertible to cash, such as, but not limited to, entertainment tickets, regardless of the amount or value; or
 - iv. The value of the gift exceeds \$25, or the accumulation of the value of gifts from a single donor to the Employee exceeds \$50 in a 12-month period.
- b. For the purposes of this section, the terms gift, benefit, and gratuity shall mean the transfer of cash, goods, or services without reasonable and valuable consideration.
- c. In evaluating what a reasonable person in the community would believe in connection with this section, Employees are encouraged to seek assistance from their supervisors, peers, the City Administrator, or his/her designee, or any other person the employee deems appropriate, in reaching his/her decision.
- d. If after consideration of the circumstances surrounding the potential acceptance of any gift or gratuity, an Employee determines it is reasonable to accept the gift or gratuity, he or she shall disclose the nature of the gift or gratuity and all the relevant circumstances to his or her supervisor.

3. CONTRACTING WITH FORMER EMPLOYEES OR THEIR PRINCIPLES

- a. All City Employees are reminded that, for a period of one year after the effective date of their termination from City employment, they cannot directly participate in entering into a contract with the City or any similar arrangement for goods or services, either for themselves or on behalf of another entity, if they have participated significantly in negotiating the terms of contract or agreements, or regulating that entity.
- b. When necessary, the City Administrator will determine if this guideline should result in the City refusing to participate in a contract or similar arrangement for goods or services with the former employee or the entity that they represent.

B-2 Coverage and Definitions

- (a) This Ethics Policy shall apply to all, city employees and officers For purposes of this Section B, all references to in this Ethics Policy to “Public Officers and Employees” includes all appointed members of the city boards, authorities, committees, or commissions.
- (b) The term “Direct Financial Benefit” shall mean any monetary or material compensation or reward that is directly received by, or provided to, an individual covered by the Ethics Policy.

B-3 Ethics Policy Guidelines

All City public officers and employees shall observe the following guidelines:

- (a) Avoid any appearance of impropriety.
- (b) Refrain from voting, advocating, or taking action on a City contract, transaction, or regulatory action which will result in a direct financial benefit to the public officer or employee. Public officers or employees should not use their public position for private gain. (City contract bids under the City purchasing policy are excluded.)
- (c) Uphold the constitution, laws and regulations of the United States of America, the State of Kansas, and the City of Great Bend.
- (d) Refrain from making any promise, private in nature, which would compromise the integrity of his/her position as a public officer and employee.
- (e) Refrain from engaging in any business with the City which is inconsistent with the conscientious performance of his/her governmental duties.
- (f) Refrain from using any confidential information obtained in the performance of governmental duties as a means for making a private profit or gaining benefit.
- (g) Refrain from revealing any information made known through his/her public office or employment which is by law confidential, or by custom is a protected right of privacy.
- (h) Refrain from misleading or allowing others to mislead the public or other governmental officials.
- (i) Disclose or report to appropriate officials any corruption whenever discovered.
- (j) Stand as a representative of the government and the public trust and never intentionally act outside the scope of his/her authority.
- (k) Refrain from assisting and representing the private interests of another before any City commission, board, or agency.

- (l) Abstain from participation in the decision-making process, including discussion and voting, as necessary to avoid conflict with these guidelines.
- (m) Refrain from using one's position as a public officer or employee to influence others for personal gain. (For example, no public officer or employee should use their position to influence anyone to dismiss traffic tickets or criminal charges, interfere with investigations, etc.)

B-4 Sanctions

- (a) Violation of this Ethics Policy by a city employee is punishable under the provisions of Section B-3 of the City Employee Handbook.

B-5 Whistleblower Protection Policy

- (a) **Application.** This whistleblower protection policy applies to all City employees, volunteers, and other individuals providing contract services.
- (b) **Reporting Credible Information.** A protected person shall be encouraged to report information relating to illegal practices or violations of policies of the City, that such person in good faith has reasonable cause to believe is credible. Information shall be reported to any of the following: any Department Head, the Human Resource Director, City Administrator, or any Governing Body Member. When deciding who to report the concern to, individuals should start with their direct supervisor unless the concern involves someone in the individual's chain of command. If the concern involves someone in the individual's chain of command, the concerns should be reported to the next level of command the individual deems appropriate. If individuals are uncomfortable discussing concerns with the above-mentioned individuals, the City has engaged Safe Hotline to be its third-party ethics and compliance hotline provider to collect allegations anonymously. Reports can be made 24 hours a day/7 day a week. You can call or text 1-855-662-SAFE or report online at www.safehotline.com. The City's Company ID number is 6142604412. Anyone reporting a violation must act in good faith and have reasonable grounds for believing that the information shared in the report indicates that a violation has occurred. Individuals reporting false information are subject to disciplinary actions up to termination.
- (c) **Investigating Information.** The Human Resource Director shall promptly investigate each such report and prepare a report for the City Attorney. If the City Administrator, Human Resources Director, or any member of the governing body is the subject of the complaint, the City shall hire an independent third-party investigator to investigate the complaint. The third-party investigator shall provide the report to the City Attorney who shall review the report and discuss it with necessary parties.
- (d) **Confidentiality.** The organization encourages anyone reporting a violation to identify himself or herself when making a report in order to facilitate the investigation of the violation. All information disclosed in the complaint procedure will be held in strictest confidence and will be disclosed only on a need-to-know basis in order to investigate and resolve the matter.

- (e) **Protection from Retaliation.** No person entitled to protection shall be subjected to retaliation, intimidation, harassment, or other adverse action for reporting information in accordance with this policy. Any person entitled to protection who believes that he or she is the subject of any form of retaliation for such participation should immediately report the same as a violation of and in accordance with this policy.

Any individual within the City who retaliates against another individual who has reported a violation in good faith or who, in good faith, has cooperated in the investigation of a violation is subject to discipline, including termination of employment or volunteer status.

Section C

Position Classification

C-1 Objectives and Purpose

Position classification is a system of identifying and describing different kinds of work in the organization in order to permit equal treatment in employment practices and compensation. Each position shall, based on the duties, responsibilities, skills, experience, education, and training required of the position, be assigned to an appropriate class.

C-2 Job Descriptions

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

C-3 Pay Plan

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

C-4 Maintenance of the Position Classification Plan

The position classification plan shall be the responsibility of the Director of Human Resources which will include the reclassifying, reassignment, or transfer of any employee when such action is deemed essential or desirable for the improvement of City operations or the benefit of the employee. From time-to-time, the plan should be reviewed to provide for changes in classification brought about by adjustments to organizational structure, improved methods, or new or revised service programs. The City Administrator shall approve all new or revised job descriptions.

Section D

Recruitment, Selection, and Placement

D-1 Employment Applications

A person seeking employment with the City of Great Bend may apply through the Human Resource Director by using an approved application form or may also apply electronically through the City website or any other digital format where current openings may be posted.

D-2 Recruitment

It shall be the policy of the City to provide fair and equal opportunity to all qualified persons to obtain City employment on the basis of demonstrated merit and fitness determined by fair and practical methods of selection, without regard to race, color, sex, disability, religion, age, national origin, ancestry, genetic information, sexual orientation, gender identity or expression.

D-3 Qualifications for Employment

To be considered for a position with the City, all applicants must meet the minimum qualifications for the position as set forth in the job description. Each applicant must complete an application form and may also submit a resume. A medical examination or other testing, including drug testing, may be required only after an offer of employment has been made, provided that, such exams or testing are required of all such applicants who are offered employment in similar positions or position classifications. Where required, the offer of employment is contingent upon applicant passing required tests.

D-4 Employment Process

- (a) It shall be the policy of the City to follow an employment process which will result in the hiring of the best available employees and to provide an equitable employment opportunity for all applicants. The City's employment process will be as follows unless the City Administrator approves an exception.
- (b) Current open positions are posted internally to allow interested candidates an opportunity to apply, and to provide a significant pool of candidates from which to choose. The internal posting of current openings is located with each department secretary and in the Human Resource office.
- (c) The City reserves the right to publicize any open position outside of the organization in an effort to hire the best available candidate.
- (d) To be considered for employment, each candidate for a non-exempt position must submit to the Human Resource Director, a completed application form. A candidate for an exempt position may submit a resume in lieu of an application.
- (e) Evaluation of applicants for employment will be based upon the duties of the vacant position. No applicant will be formerly hired until:
 - (1) All applications have been considered, and
 - (2) Appropriate interviews have been conducted, and
 - (3) Appropriate testing (if required) has been completed.

- (f) It is the policy of the City to provide entrance drug screening and physical capacity testing after a conditional offer of employment, when the exam has been determined to be a bona fide occupational qualification (BFOQ) of the position. In some cases, the City may also require psychological profiles. Should any of these exams determine the inability of the individual to perform essential functions of the job with reasonable accommodation, the individual will be ineligible for that position and the conditional offer of employment will be rescinded. Exams will be conducted at City expense by qualified individuals approved and assigned by the City.
- (g) The goal of the City's employment policy is to obtain the best available employees while observing all applicable statutes and regulations which govern the hiring process.

D-5 Promotion

- (a) It is the policy of the City to fill vacancies for supervisory, skilled, or upper-level positions with current employees whenever possible; however, the City reserves the right to seek candidates from outside of the organization to ensure the hiring of the most qualified candidate. Employees seeking promotion shall be expected to meet the minimum qualifications for the position.
- (b) City employees may apply for any vacant position that is on the current jobs posting list.

D-6 Transfers

- (a) Employees may request a transfer to another department at any time a vacancy exists for which the employee desires consideration.
- (b) Supervisors and/or Department Heads will give deliberate and impartial consideration to each request. However, the City reserves the right to seek candidates from outside of the organization to ensure the hiring of the most qualified candidate. Employees seeking a transfer shall be expected to meet the qualifications for the position.
- (c) City employees may apply for any vacant position and request a transfer during the period when the position has been posted, as outlined in Section D-4 (b).

D-7 Training Period

- (a) Specialized Training
 - (1) Specialized on-the-job training is the responsibility of each department. General and formal training may be necessary as dictated by position requirements.
 - (2) Training sessions on topics relevant to all Department Heads will be offered periodically by the Human Resource Director as deemed relevant.
 - (3) All outside training must be approved in advance by the Department Head.
 - (4) Determining whether training time qualifies for hours worked will be handled according to the regulations established under the Fair Labor Standards Act (FLSA).

D-8 Nepotism

The City is an equal opportunity employer and hires individuals based solely on their qualifications and ability to do the job to be filled.

- (a) The City will consider a member of an employee's immediate family for employment if the applicant possesses all the qualifications required for the open position. Members of the same family will not be permanently assigned to the same shift. This would in no way diminish the City's ability to temporarily reassign any and all employees to fill short-term staffing needs. An immediate family member may not be hired, however, if the employment would:
 - 1) Create either a direct or indirect supervisor/subordinate relationship with a family member. Occasional supervision to meet staffing requirements or other temporary needs is not considered direct supervision. Supervision means the authority to recommend or approve the individual's hire, transfer, promotion, salary, evaluation, termination, or other similar personnel actions.
 - 2) Create an actual conflict of interest or the appearance of a conflict of interest. These criteria will also be considered when assigning, transferring or promoting an employee.
- (b) Employees who start to date or marry or become members of the same household may continue employment if there is not:
 - 1) A direct or indirect supervisor/subordinate relationship between the employees. Occasional supervision to meet staffing requirements or other temporary needs is not considered direct supervision. Supervision means the authority to recommend or approve the individual's hire, transfer, promotion, salary, evaluation, termination, or other similar personnel action.
 - 2) An actual conflict of interest and, members of the same family will not be permanently assigned to the same shift. This would in no way diminish the City's ability to temporarily reassign any and all employees to fill short-term staffing needs. Should one of the above situations occur, the City will attempt to find a suitable position within the city to which one of the affected employees may transfer. If accommodations of this nature are not feasible, the City will determine which of the affected employees will lose their employment.
- (c) At no time may members of the same family serve in positions on the Executive Team which include the following positions: City Administrator, Assistant City Administrator, City Attorney, Finance Director/City Clerk, Police Chief, Fire Chief, Director of Public Lands, Director of Public Works, Community Coordinator/CVB Director, Director of Human Resources and Network Administrator.
- (d) The City Administrator will make the final determination on any questions or issues that arise from this policy.

D-9 Employment-Eligibility Verification (I-9)

All employees hired for any position with the City shall complete an employment-eligibility verification statement (I-9) in compliance with the federal Immigration Reform and Control Act of 1986.

Section E Compensation

E-1 Pay Plan

The City's pay practices shall adhere to the following provisions:

- (a) All employees shall be paid rates that fall within the salary range assigned to the position in which they are employed. Any exceptions must be approved by the City Administrator or, in the case of the City Administrator, the Governing Body
- (b) The involuntary transfer of an employee from one position to another, where the employee's current position falls within the same pay level, will have no effect on the employee's salary. If the employee is transferred to a lower level, the pay will be adjusted accordingly, if necessary, at the discretion of the Department Head.
- (c) When an employee voluntarily transfers laterally to another position, the employee's salary will fall within the salary range established for the new position and be set at the discretion of the Department Head.
- (d) The promotion of an employee to a position with a higher salary range will include an increase in the employee's salary to at least the minimum for the new position, if the employee's current salary is below such minimum.
- (e) In the event an employee's position is reclassified to a lower grade, or the employee is demoted, the employee's salary may be reduced to any amount in the pay range of the lower classification. However, due to the overlap in salary ranges, in no event shall the employee's salary be fixed at an amount greater than what they were earning immediately prior to the change.

E-2 Salary Range for New Employees

A new employee will enter employment at the minimum rate of pay for the position in which the employee is employed. Any exception to this policy must first be approved by the City Administrator or the Governing Body.

E-3 Pay Increases

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

- (a) All full-time employees who have been employed with the city for longer than six months are eligible for a pay increase according to the score on the employee's annual evaluation. Pay increases will take effect the second pay period of February. If the full-time employee is at the top of the pay range for the employee's position, and a pay raise is determined to be warranted based on the employee's annual review, the employee will receive a lump sum payment equal to the percentage of the pay increases, to be paid the second pay period of February.
- (b) New hires, upon reaching 6 months of employment, shall be eligible for a merit increase up to an amount which will be determined annually based on current market and financial conditions. New hires will not be eligible for an annual increase if they are in their 6-month provisional period. New full-time uniformed employees employed in the Police Department will be evaluated during the normal annual evaluation period and not at 6 months. Uniformed Officers will be eligible for a pay adjustment upon graduation from KLETC and receiving a promotion to Police Officer II.
- (c) New full-time Firefighters are eligible for a pay increase upon successfully completing the list of requirements for his/her 6 months of employment.
- (d) Part-time employees who work year-round shall be eligible for a pay increase according to the score on the employee's annual evaluation.
- (e) Employees whose performance has been deemed to be unacceptable as reflected in his/her evaluation, will not be eligible for a pay increase.
- (f) Employees on suspension, or who have been demoted within the past year are not eligible for a salary increase.
- (g) Current employees who move laterally from one job classification to another, whether within his/her current department or to another department, shall not receive a raise at the time of the transfer.
- (h) Employees promoted to a higher job classification shall receive at minimum a raise to the bottom of the new range. Wages higher than the minimum for that pay level must be approved by the City Administrator.

E-4 Cost-of-Living Pay Scale Adjustment

Each year the Finance and Human Resource Directors review factors related to the cost of living and present this information to the Governing Body if there is a need for a change. The Governing Body reviews the information during budget work sessions, and, if cost of living increase justifies the need, the Governing Body may agree to adjust the salary ranges for City positions. If adjustments are made that year, the salary resolution reflecting those changes will be presented and passed at a council meeting following adoption of the budget, to take effect the second pay period in February of the upcoming year or sooner if approved by the Governing Body. For any existing staff who fall below the new minimum range for their current position, they will be raised to the new minimum when the new Pay Scale takes effect. For all other staff members who do not fall below the new minimum wage for their position, any COLA increase will take effect with the annual merit increases on the second pay period in February.

E-5 Performance Evaluations

As discussed in Sections E-1, & E-3, employee performance evaluations will be considered in determining the following employment matters: salary increases and decreases within the limits established in the pay plan, promotions, demotions, order of layoffs, transfers, and terminations. Performance evaluations will be conducted as follows:

- (a) Performance evaluations will be completed during the 4th quarter each year for all employees. Performance evaluations must be completed, signed by all parties, and turned into Human Resources as instructed for the current evaluation period.
- (b) All departments shall use the approved form for employee evaluations.
- (c) Each employee shall be evaluated by his/her immediate supervisor/Department Head. Indirect supervisors shall also review the evaluation and make comments as appropriate. Evaluations will be discussed with the employee following approval by the appropriate immediate supervisor and/or Department Head.
- (d) The City Administrator's evaluation shall be completed by the Governing Body.

E-6 Pay Periods

All City employees are paid on a bi-weekly basis. Bi-weekly pay periods end every other Saturday, and paychecks are distributed the following Friday.

E-7 Pay on Termination

- (a) Final regular wages will be paid on the next regularly scheduled payday. Employees who are terminated for cause will not be eligible for final pay from their accrued sick leave balance.
- (b) An employee who is terminated will be compensated for his/her final regular wages, applicable unused vacation accrual, on the first regularly scheduled payday following the termination.
- (c) An employee who resigns voluntarily or who retires in good standing as defined in Section J-1, shall receive his/her final pay on the first regularly scheduled payday following the date of resignation or retirement. Such final pay shall include pay for all accrued vacation and personal leave time, and for employees terminating in good standing who currently, or within the previous twelve months, have attained and maintained a maximum accumulation of sick leave benefits shall receive pay equal to 25% of the recorded amount of unused sick leave.
- (d) Sick leave will not be paid during the notice period once an employee has given their 2 weeks' notice of resignation. Sick leave payout will follow City policy after the employee finishes their employment as stated above. This policy does not apply to employees who are retiring and give advance notice of their pending retirement.

E-8 Overtime

- (a) Overtime compensation will be paid at 1½ times the employee's regular rate of pay. The City does not allow compensatory time (comp time) for non-exempt employees.
- (b) No person employed in an administrative, executive, or professional position, as defined by the federal Fair Labor Standards Act (FLSA), and who meets the salary threshold test of the FLSA, shall be eligible for overtime pay. These positions are defined as "FLSA - Exempt".
- (c) All "FLSA - Non-Exempt" employees shall be eligible to receive overtime compensation for all hours worked in excess of the normal city work week (as defined in F-1), except for full-time fire fighters. Hours worked only includes hours actually worked and does not include paid sick leave, vacation time, bereavement leave, personal leave, holiday pay, injury leave, and unpaid leave.
- (d) Fire fighters will be eligible for overtime compensation only for work hours in a work period that exceeds 212 hours in 28 days. For firefighters, hours worked include paid vacation and personal leave.
- (e) All overtime work must have prior authorization by the employee's Department Head and or immediate supervisor. The Department Head shall maintain records of any overtime worked.

E-9 Call-Back Duty

- (a) Call-back duty shall be an obligation of each employee of the City, and call-back duty is considered a part of the job requirement of each position when employed. Call-back is that time when it is necessary for the City Administrator, a Department Head, or a supervisor to call an employee or group of employees to perform functions necessary or related to the operations of the City or a department where the employee is assigned at times other than regularly scheduled work hours. If possible, the employee may be given alternative time off to help cut the potential for overtime due to being called back to work. This will be at the discretion of the City Administrator and/or Department Head.
- (b) On-call employees will receive a minimum of 1½ hours when being called out. For employees who may be called back but are not required to come to work when called, no additional compensation will be paid other than their clocked hours. Any employee who is "on-call" and does not report when called may be subject to disciplinary action up to and including termination. If an employee is scheduled in a call rotation and has scheduling conflicts, they may work with another employee to trade call, but this must be approved by the Department Head. It shall be the responsibility of any employee who is contacted to report for call-back duty to notify his/her supervisor if he/she is mentally or physically impaired in such a way that reporting for duty might present a safety hazard to the employee or others. Examples of such impairment would be consumption of alcohol, the taking of medication that induces drowsiness or fatigue. The supervisor making the contact will decide whether to require an employee to report when the employee has reported an impairment.
- (c) All employees will be paid 1 ½ times their regular rate of pay for any "call-back" or "minimum staffing" hours worked in the pay period the hours occurred.

For this policy, “call-back” means an “unscheduled” return to duty to meet staffing needs. Things such as scheduled meetings and training are not considered “call-back”.

E-10 Reimbursable Travel Expenses

- (a) It is the policy of the City to reimburse employees for the expense of travel, including the cost of transportation, meals, and lodging, provided such travel occurs while conducting city business.
- (b) Activities that justify the reimbursement of travel expenses include attendance at meetings, conventions, and seminars or other educational functions related to the employee’s job. Prior approval of such travel must always be obtained from the employee’s Department Head and in the case of a Department Head who is requesting travel, it must be approved by the City Administrator.
- (c) The employee may use a City vehicle or rental vehicle, if available, for trips requiring driving. If circumstances require the employee to use the employee’s own vehicle while traveling on City business, the employee shall receive a mileage allowance of the standard rate allowed by the IRS which will be communicated at the start of each year from the Finance Director. The mileage allowance covers all transportation costs except parking fees or turnpike tolls.
- (d) The City has a “KTAG” which can be picked up in the Human Resource Director’s office and then the expenses for that trip will be billed according to the appropriate department.
- (e) Arrangements for air travel should be made utilizing the most economical plan available.
- (f) Lodging will be paid at the single occupancy rate. A cash advance for the expenses of approved travel may be obtained by submitting a request form to the Finance Department. Upon completion of travel, the employee will fill out an expense reimbursement request and attach appropriate receipts. Requests for reimbursement without all appropriate receipts attached will not be approved, except meals that will be reimbursed at the current approved rate per meal which is determined by the City Administrator and Finance Director.
- (g) When an employee is required to travel away from home overnight for city business, the meals will be provided by the City and are excludable as wages to the employee under IRS regulations. Meals will be reimbursed at the current approved meal rate as determined by the City Administrator. Meal allowances will not apply where luncheons or banquets are provided (i.e., meals are provided as part of a training class or seminar) unless the meal is brought in as a courtesy, so the meeting can continue through lunch, and is not a part of the registration fee. In this case, the meal will be reimbursed at actual cost.
- (h) Meals reimbursed by the City for city business when overnight travel is not required will be taxable income to the employee. Reimbursement will be made through the payroll system. Meals will be reimbursed at the current approved rate. Meal allowances will not apply where luncheons or banquets are provided (i.e., meal are provided as part of a training class or seminar) unless the meal is brought in as a courtesy so the meeting can continue through lunch and is not a part of the registration fee. In this case, the meal will be reimbursed at actual cost. Specifically, if you travel out of town and return home on the same day, any meals that are to be reimbursed will be considered taxable income and must pass through the payroll system as per IRS regulations except in the circumstances listed below:

- (1) Meals associated with overnight travel.
- (2) Meals that are directly related to a business meeting where the main purpose is the active conduct of business.
- (3) Meals that are provided on an infrequent basis such as an occasional employee party or employee picnic.
- (4) Occasional meals that are provided for overtime work that exceed the normal work schedule.
- (i) The amounts claimed, less any cash advance, must be approved by the Department Head before being submitted to the Finance Department for payment. If expenses were for a Department Head, they must be approved by the City Administrator. Reimbursement requests should be submitted within five (5) business days of returning to work. Reimbursement of expenses for lodging and transportation will not be approved if they are obviously unreasonable. Unreasonable expenses will be determined by the approving authority.

E-11 Direct Deposit for Payroll

The City of Great Bend provides direct deposit for payroll as a safe and secure way to have your pay deposited directly into the checking or savings account of your choice. This program is strictly voluntary. If you do not choose direct deposit, you may receive a paycheck directly instead of having your pay deposited into your account.

Section F: Attendance and Leave

F-1 Hours of Work

- (a) **General Employees.** The normal work week for general employees, which includes all employees other than fire fighters, shall be 40 hours. Due to differing shifts and work requirements, each department will establish regular working hours for its employees and notify its employees of those hours. The work week shall begin on Sunday and end on Saturday except as otherwise provided.
- (b) **Firefighters.** Firefighters working a 24-hour shift will be assigned to a two hundred twelve (212) hour schedule within a twenty-eight (28) day work period.
- (c) **Police Officers.** Police Officers working 12 hours shifts normally work 36 hours one week and 48 hours the next week. Detectives and clerical staff in the Police Department normally work 8-hour shifts, 40 hours per week.
- (d) **Normal Work Hours.** No employee shall be permitted to work more than his/her normal work week except when so directed by the employee's Department Head, or City Administrator.
- (e) **Flex Time.** Department Heads can adjust an individual's normal work hours on a weekly basis, based on the needs of their department. All employees will still be required to work the minimum required hours for his/her position each week.

F-2 Daylight Saving Time Pay Practice

The City will pay employees actual time worked in the spring and fall on the dates when a change in time occurs due to Daylight Saving Time. Vacation and sick time taken on the dates of Daylight-Saving Time will be paid based on scheduled hours.

F-3 Breastfeeding

For up to one year after the child's birth, any employee who is breastfeeding her child will be provided reasonable break times to express breast milk for her baby. The City will designate a private location at each City facility for this purpose. Please check with your Department Head for this information. A small refrigerator reserved for the specific storage of breast milk will be made available. Any breast milk stored in the refrigerator must be labeled with the name of the employee and the date of expressing the breast milk. Any nonconforming products stored in the refrigerator may be disposed of. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage, refrigeration, and tampering. Nursing mothers wishing to use this room must request/reserve the room by contacting the Department Secretary. Additional rules for use of the room and refrigerator storage may be posted in the room. Employees who work offsite or in other locations will be accommodated in a private area as necessary. Breaks of more than 20 minutes in length will be unpaid, and the employee should indicate this break period on her time record.

F-4 Holidays

(a) The following days shall be observed holidays:

New Year's Day	January 1 st
President's Day	3 rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4 th
Labor Day	First Monday in Sept.
Veteran's Day	November 11 th
Thanksgiving Day	4 th Thursday in Nov.
Day after Thanksgiving	Friday after Thanksgiving
December 24 th	December 24 th
December 25 th	December 25 th

- (b) If a paid holiday falls on a Saturday, it shall be observed on the preceding Friday. If a paid holiday falls on a Sunday, it shall be observed on the following Monday. To be eligible to receive pay for an observed holiday, an employee must not have been on "leave without pay" status on any part of the workday prior to or following the holiday.
- (c) The City Administrator may designate any other day as an official holiday and grant a day off with pay for City employees.
- (d) Full-time non-exempt employees, other than firefighters, scheduled to work on an observed holiday shall receive eight (8) hours of holiday pay (at the regular rate of pay), plus regular pay for the hours they work on the City designated holiday. Firefighters will receive twelve (12) hours of holiday pay at their regular rate, plus regular pay for the hours they work on the City designated holiday.
- (e) Holiday pay will not count as time worked for the purpose of calculating overtime.
- (f) Part-time employees shall not receive paid holidays. If required to work, they shall receive their regular hourly wage, or overtime if applicable under Fair Labor Standards Act (FLSA) standards.

F-5 Vacation

- (a) Full-time employees shall earn vacation leave as follows for each full month of continuous service:

Full-time Employees Except 24-Hour Shift Employees

0-4 years of service	8 hours per month	(96 hrs.)
5-9 years of service	10 hours per month	(120 hrs.)
10-14 years of service	11.34 hours per month	(136 hrs.)
15-19 years of service	13.34 hours per month	(160 hrs.)
20 + years of service	14 hours per month	(168 hrs.)

24-Hour Shift Employees

0-4 years of service	12 hours per month	(144 hrs.)
5-9 years of service	15 hours per month	(180 hrs.)
10 -14 years of service	17 hours per month	(204 hrs.)
15-19 years of service	20 hours per month	(240 hrs.)
20 + years of service	21 hours per month	(252 hrs.)

- (b) Part-time employees who work at least twenty (20) hours or more per week or one thousand forty (1040) hours per year shall earn vacation credit at the rate of four (4) hours for each month of employment. Seasonal employees shall not earn vacation leave.
- (c) Vacation leave shall be accrued and posted from the date of employment, but it may not be used until the employee completes three (3) months of service. Employees who begin work on or after the 16th in any month shall not accrue vacation for that first month. Any employee who terminates prior to the 16th of the month will not receive vacation accrual for that month.
- (d) The maximum accrual for full-time employees, other than 24-hour shift employees, will be 240 hours. The maximum accrual for full-time 24-hour shift employees will be 360 hours.
- (e) Vacation leave shall be scheduled with the approval of the employee's supervisor and Department Head.
- (f) FLSA non-exempt employees may be permitted to use vacation leave in units of less than one day with prior approval of the Department Head and/or immediate supervisor.
- (g) For FLSA non-exempt employees, vacation leave may be used in ½ hour increments.
- (h) FLSA exempt employees may use vacation in 8-hour increments.
- (i) Holidays occurring during the use of an employee's authorized vacation leave, will not be counted as a day of vacation (except for firefighters, police officers and zoo employees).
- (j) Upon termination after three months of employment, an employee shall be compensated for all earned but unused vacation leave at their final rate of pay.
- (k) Vacation time will not count as time worked for the purposes of calculating overtime except for the Fire Department. Final accrued vacation hours payout will not count towards overtime.

- (l) Substitution of Sick Leave. After providing substantiation of illness from a licensed medical provider, sick leave may be substituted for scheduled vacation leave if an employee becomes sick while on vacation leave.
- (m) Scheduling. In cases where the requested vacation leave of two or more employees' conflict with the efficient operation of the City, said leave shall be granted based on who requested the time off first.

F-6 Sick Leave

Full-time employees shall be entitled to use earned sick leave for absences resulting from illness, injuries, accidents, or other physical incapacity occurring off the job. No employee shall be permitted to use sick leave for any period spent on unauthorized leave. The provisions of the Family and Medical Leave Act may apply in some circumstances, please see F-14 below.

- (a) Amount of Sick Leave. Full-time employees, other than Fire Department shift employees, shall earn sick leave at the rate of eight (8) hours per calendar month of service. Fire Department shift employees who work 24-hour shift duty shall earn twelve (12) hours of sick leave per calendar month of service. Sick leave begins accruing with the completion of each full month of continuous service. Other than for new hires in the first three months, accruals will be credited and available to employees on the first day of the month following a completed month of service. Employees who begin work on or after the 16th of any month shall not accrue sick leave for that first month. Any employee who terminates prior to the 16th of the month will not receive sick leave accrual for that month.
- (b) Accumulation of Sick Leave. Full-time employees, other than firefighters, may accrue 480 hours of paid sick leave. Fire Department shift may accrue a maximum of 720 hours of paid sick leave.
- (c) Sick leave may be used in ½ hour increments.
- (d) A signed release is required from a health care provider verifying the employee's inability to perform their assigned duties because of illness or injury following sick leave of 3 days or more. The City reserves the right to require a physical capacity test to ensure the employee's ability to perform their essential job functions after extended absences due to illness or surgery. Any employee who is injured off duty and is not able to perform their essential job functions with reasonable accommodations, will not be allowed to return until the employee has been cleared to return to work by their physician.
- (e) Use of Sick Leave. No employee shall be allowed to use the employee's accumulated sick leave until he or she has completed three (3) months of employment. New hires in their first three (3) months are also not allowed to use any donated time from fellow employees. Employees may use accrued sick leave for appointments with a licensed medical provider with reasonable notice to their immediate supervisor.
Employees may also use accrued sick leave for the illness of an immediate family member when the presence of the employee is considered essential to their care. Such absences may require a written physician's statement that the employee's presence is required for the care of an immediate family member. If an employee has used all his/her available sick leave in conjunction with an injury leave, he or she may use available vacation leave to similarly supplement their temporary disability.
- (f) Notification. To be eligible for paid sick leave, an employee, or his/her representative, shall notify his/her immediate supervisor, and give the reason for

the absence no later than the beginning of the first workday in which sick leave is taken. This notification requirement may be waived by the employee's supervisor in extraordinary circumstances.

- (g) When employees, except firefighters and police officers, are sick or on scheduled sick leave at the time of a holiday on which they are scheduled to work, sick leave will be charged only for that part of their work schedule (if any) which exceeds the holiday benefit of 8 hours. No employee, except firefighters and police officers, may receive holiday pay and sick leave at the same time.
- (h) An extended absence from duty, due to a qualifying FMLA illness or event, once FMLA time has been exhausted may be grounds to request a special leave of absence, with or without pay based on the employees benefit accrual balance, not to exceed sixty (60) calendar days. Such leave of absence, if approved, shall begin at the end of the 12-week FMLA period. The City Administrator along with the Department Head and Human Resource Director will make the final determination if the extended absence leave will be approved based on the following criteria: No suspension due to discipline action in the 12-month leading up to the absence request.
- (i) Abuse of Sick Leave. An employee who abuses sick leave shall be subject to disciplinary action, up to and including termination. Actions that may lead to determination of abuse include, but are not limited to, falsifying illness or reasons for using sick leave, unsubstantiated excessive use, and/or not complying with reporting requirements.

F-7 Leave Without Pay

Employees who are absent from work because of illness or an off-the-job accident, but who do not have accrued sick leave available may, upon recommendation of their supervisor or Department Head and upon approval of the City Administrator, may be granted leave without pay. Before leave without pay may be granted, the employee must first have exhausted all his/her accrued benefit time.

F-8 Personal Leave

- (a) When an employee reaches and maintains the maximum accumulation of sick leave hours, accrual shall be converted to personal leave.
- (b) Conversion shall occur at the rate of four (4) hours personal leave for each eight (8) hours of sick leave for all employees, except firefighters. Conversion for firefighters shall occur at the rate of six (6) hours personal leave for each twelve (12) hours of sick leave.
- (c) The maximum accumulation of personal leave shall be forty-eight (48) hours for employees other than firefighters, and seventy-two (72) hours for firefighters.
- (d) For FLSA non-exempt employees, personal leave may be taken in half hour increments.
- (e) Personal leave may be taken only upon approval of the Department Head and will be paid upon termination if the employee leaves in good standing.

F-9 Maternity Leave

An employee who becomes pregnant may claim and receive maternity leave in the same manner as provided for sick leave; the employee may also elect to use any accrued vacation and personal leave to the extent such leave is available. An employee may also take leave without pay in the same manner as any other employee on leave without pay. If medical complications related to the pregnancy exist, the employee may, with the approval of the Department Head or City Administrator remain on maternity leave until released by the employee's physician. The provisions of the Family and Medical Leave Act may apply in some circumstances, see F-14 below.

F-10. Bereavement Leave

In the event of the death of an immediate family member, Shift Fire Department Employees may be granted paid leave not to exceed two (2) consecutive working days to cover scheduled shifts. All other employees may be granted paid leave not to exceed three (3) consecutive working days not including days off. Bereavement time will not be paid to any employee who is not scheduled during the needed days off. Additional time above what is listed here will be considered vacation or personal time as requested by the employee. In situations where the funeral/memorial service is postponed to a later date, the employee may work with their Department Head to coordinate the use of Bereavement Leave. Total Bereavement Leave time taken may not exceed what is listed in this policy.

F-11 Injury Leave

- (a) Full-time employees shall earn injury leave/qualified extended leave at the rate of 8 hours per calendar month for all employees, except 24-hour shift employees, and 12 hours per calendar month for 24-hour shift employees.
- (b) Maximum accumulation is 480 hours for all full-time employees except 24-hour shift employees, and 720 hours for 24-hour shift employees.
- (c) An employee who is unable to work due to a job-related injury shall be entitled to use injury leave at full pay unless he becomes eligible for Worker's Compensation disability benefits.
- (d) In the event the employee becomes eligible for Worker's Compensation disability payments, the employee shall be entitled to use injury leave as difference pay. Employees who are entitled to worker's compensation benefits will receive a check from our worker's compensation provider. Any difference between that check and the employee's net pay will be considered difference pay, and the hours can be deducted from accrued injury leave. It is the employee's responsibility to work with their Department Secretary and Human Resources when needing to submit "Difference Pay" and this must be submitted by the Friday before payday.
- (e) "Difference Pay" shall be calculated as the difference between the employee's normal net pay and the amount the employee receives in Worker's Compensation benefits.
- (f) Employees will be provided injury leave time away from work to receive necessary treatment or examinations regarding job-related injuries. Time away from work must be authorized by the employee's immediate supervisor and by the treating physician.

- (g) Vacation and sick leave benefits will continue to accrue while an employee is on job-related injury leave.
- (h) Injury leave shall be deducted hour for hour as needed for all employees collecting either full pay or difference pay due to a job-related injury.
- (i) After an employee's accumulated injury leave has been exhausted, the employee may opt to use his/her accrued sick leave and/or vacation leave to continue receiving difference pay. Sick leave and/or vacation leave will be subtracted from the employee's accumulated leave for each day of continued difference pay at an hour-for-hour rate for all employees except 24-hour shift employees, and 12 hours for 24-hour shift employees.
- (j) The employee must promptly report all job-related accidents to their Department Head or supervisor. An official accident report must be completed and submitted to the Director of Human Resources within 48 hours after the accident.
- (k) To qualify for injury leave, the employee shall furnish their Department Head or supervisor a current work restrictions document signed by a licensed doctor. This document should provide supporting documentation that the employee's accidental disability is of such a nature and extent as to prevent the employee from performing the duties of his/her job. The work restrictions document must be filed after the accident as soon as possible once a medical provider has been seen, and then as updated by the medical provider if the injury restrictions continue and forwarded promptly to the Director of Human Resources. The Human Resource Director may, for good cause, waive the filing of a medical work restrictions document or extend the time of its filing.
- (l) No employee who has sustained a job-related injury shall be permitted to return to work until he/she has furnished his/her Department Head a release from a licensed doctor. The release should state that the employee is able and capable of returning to work and the date when work may be resumed.
- (m) In some instances, the City may be able to accommodate work restrictions, but this will be determined on a case-by-case basis and in compliance with the Americans With Disabilities Act and the Kansas Act Against Discrimination.
- (n) Employees will be expected to follow the required procedures in reporting accidents to their supervisor, completing the necessary paperwork, seeking diagnosis and treatment from a designated health care provider, obtaining prescriptions from a designated provider, arriving on time for appointments and participating fully in the treatment of the injury or illness.

F-12 Military Leave

The City recognizes and adheres to all applicable state and federal laws regarding leaves for uniformed service to the State of Kansas as well as the United States. Any employee who needs time off for uniformed service is to immediately notify his/her supervisor and the City Administrator, both of whom will provide a detailed explanation to the employee of his/her reemployment rights under K.S.A. 48-517 (governing members of the Kansas national guard, Kansas air national guard, and the Kansas state guard that are 'called or ordered to duty') and the Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. 4301 et seq., covering persons performing duty, voluntarily and/or involuntarily in the U.S. Army, Navy, Marine Corps, Air Force, Coast Guard, Army National Guard, Air National Guard, and Public Health Service commissioned corps.

Any employee, including full- and part-time, who notifies the City that he or she intends to return to employment once military service is completed shall be eligible for military-leave benefits including:

- (a) Reinstatement of the veteran to the position he or she would have held if his/her employment had not been interrupted by military service provided one of the exceptions in 38 U.S.C. §4312(d)(1) have not been triggered.
- (b) Retention and accrual of benefits tied to seniority.
- (c) If full-time, continued health care coverage at the employee's expense; and
- (d) If full-time, continued participation in insurance and other benefits not determined by seniority to the same extent as employees granted other types of leave.
- (e) For military reservists, the City will allow access to accrued vacation and sick leave for missed shifts, when the employee is called to monthly and annual training. Employee must request accrued benefit time in order to be paid.

F-13 Civil Leave

- (a) Civil Leave with pay. An employee shall be given necessary time off without loss of pay under the following circumstances:
 - (1) when performing jury duty;
 - (2) when appearing in court as a witness in answer to a subpoena when the City is a party to the case being tried;
 - (3) when performing emergency civilian duty in connection with national defense;
 - (4) for the purpose of voting when the polls are not open at least two hours before or after the employee's scheduled hours of work; and
 - (5) for the purpose of donating blood.
- (b) Any compensation received while on jury duty shall be returned to the City. City employees are required to return to work if they are on duty once they have fulfilled their civil duties for that day.
- (c) Civil Leave without pay. If an employee is involved in court in a case either as plaintiff, defendant, or witness in a legal proceeding not resulting from his/her duties with the City, the employee may be granted leave without pay unless he/she elects to utilize any available vacation and/or personal leave.

F-14 Absence Due to Inclement Weather or Disaster

- (a) If the City offices are closed due to inclement weather, a day with pay will be provided to non-essential staff. If the offices are not closed, those employees unable to attend work will need to turn in vacation or personal time to cover the day's absence.
- (b) All essential staff, including Police, Fire and Public Works and Public Lands, will need to contact their Department Head for instructions.
- (c) Employees can check the City Website, Great Bend Tribune, and Great Bend Post for any closure information.

F-15 Family and Medical Leave Act

- (a) Upon request, any qualifying employee will be granted up to 12 weeks of unpaid family and medical leave during a 12-month period **measured forward from the date of the employee's first FMLA leave usage**. Such leave will be available as the result of the birth, adoption, or placement of a child for foster care; to care for a spouse, child, or parent with a serious health condition; or due to an employee's disabling illness; or because of any qualifying exigency (as the Secretary shall, by regulation, determine) arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces. Where possible, employees are required to provide at least 30 days' notice before beginning to take leave. The City will require any accrued paid vacation, sick, or personal leave of the employee to be used during the 12 weeks of leave provided under this law.
- (b) Upon request, any employee will be granted up to 26 weeks of unpaid military care giver leave during a single 12-month period to care for the serious injury or illness of a son, daughter, spouse, parent or next of kin who is a member or veteran of the Armed Forces as defined in 29 CFR 825.122.
- (c) **Eligibility**. An employee must have worked for the City at least 12 months and for a minimum of 1,250 hours during the previous year. Where two married people work for the City, the total number of weeks' leave in which both are entitled will be limited to 12 weeks measured forward from the date an employee's first FMLA leave. Where leave is requested because of a serious health condition, the employee shall provide the City with a certification statement issued by a healthcare provider. Should there be a question of validity of the certification provided by the employee, the City may, at its own expense, require an opinion from a second healthcare provider. Where there is a conflict between the two opinions, the City may pay for the opinion of a third provider. The opinion of the third provider is binding on both the employee and employer.
- (d) **Restoration**. An employee returning from family medical leave will be entitled to return to his/her position or to a position with equivalent benefits, pay, and other terms and conditions of employment.
- (e) **Vacation and Sick Leave**. Employees who have exhausted their benefit accrual and are on unpaid family medical leave will not accrue any seniority, vacation, or sick leave benefits. If the employee receives donated vacation time per the City's policy, they may accrue benefit time on that donated leave.
- (f) **Health Insurance Coverage**. The City will continue to provide healthcare coverage under the same provisions as prior to the leave. Where the employee fails to return from leave upon the exhaustion of such leave, the City can recover the premium(s) paid on behalf of the employee to maintain healthcare coverage. If failure to return to work is due to the continuation, recurrence, or onset of a serious health condition beyond the employee's control, the employee will not be liable for healthcare premiums paid while on family leave. In such cases, a certification issued by a healthcare provider will be required.
- (g) **Outside Employment or Moonlighting**. An employee on family medical leave may not perform any type of outside employment with another employer.

F-16 Meetings and Seminar Leave

- (a) Any employee may be granted leave with pay to attend meetings, seminars, and conventions related to the employee's work when such attendance is authorized by the employee's Department Head.
- (b) Whenever an employee participates in, or attends, a recreational activity such as a golf tournament or a baseball game that coincides with a conference/meeting, vacation leave must be taken for this time if the activity falls during the employees normally scheduled work time and is not scheduled as part of the actual conference or meeting.

F-17 Educational Leave

- (a) Full-time employees may be granted special leave with pay to follow a course of study related to his/her career, or to visit other cities in the interest of the City when approved in advance.
- (b) This will be limited to no more than one request during a rolling twelve-month period which begins on the first day of an approved request.
- (c) With the approval of the Department Head and City Administrator, an employee may attend schools or professional training of up to three (3) weeks and the fourteen (14) week course for police officer's training.

F-18 Domestic Violence and Sexual Assault Leave

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

F-19 Request for Leave

Except as provided under the City's sick leave and FMLA policies, all leave requests must follow department guidelines which may vary by department.

F-20 Benefit Accrual

- (a) An employee while on paid sick leave, vacation leave, or other leave with pay shall continue to accrue sick and vacation leave.
- (b) An employee shall accrue no vacation, sick, injury or personal leave hours while on leave without pay.

F-21 Donation of Accrued Vacation and Sick Leave

- (a) The purpose of this policy is to allow employees to donate a portion of their accrued vacation and sick leave to another employee who is absent from work due to extraordinary circumstances. Extraordinary circumstances shall be defined as, but not limited to, critical illness, injury or lengthy hospitalization of the employee or an immediate family member.
- (b) Employees will be allowed to donate accrued vacation leave to a designated employee whenever extraordinary circumstances require the designated employee to be absent from work for a lengthy period of time, and when the employee has exhausted all their personal accrued vacation and sick leave.
- (c) Employees may not donate more than 24 hours of sick leave in a calendar year.
- (d) If employees choose to donate time, they should complete a form available from their Department Secretary or in the Human Resource office. This form will require both Department Head and City Administrator approval.
- (e) The donation of accrued vacation leave must be made as a free and voluntary act, and no duress or coercion shall be placed upon an employee to make such donation of his/her paid leave time.
- (f) Department secretaries will collect the completed forms and submit them to the Human Resource office who will then deliver them to the Deputy City Clerk's office. Department Secretaries will be expected to date each form in the order it is received. Donated time will be deducted from the records of the donor and credited to the absent employee in the order in which the forms are received/dated.
- (g) Donated time will be based upon the current rate of pay for the designated employee who is receiving the donated time.
- (h) Department Secretaries will monitor benefit time of employees out of work and notify their Department Head when that employee's benefit time is nearly exhausted. The Department Head shall have the ability to talk with department staff about donations of vacation and sick hours.
- (i) The department secretary will immediately notify Human Resources of the employee's return to work or of any major change in the employee's physical condition or employment status. In the event of excess donations received but not used, the Deputy City Clerk's office will notify the department secretary of the donation forms to be voided and the time will be returned to the donating employees.

Section G

Employee Benefits

G-1 Social Security Benefits

All eligible employees of the City are covered under the federal OASDI, "Social Security" system and receive the benefits in accordance with federal laws and guidelines. The cost of this benefit is paid equally by the City and the employee, with the employee contribution subject to a payroll deduction.

G-2 Worker's Compensation Benefits

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

- (a) Employees will be given instructions at the time of new employee orientation that outline the steps to be followed if a work-related accident occurs. New employees will be required to sign an acknowledgment form regarding these guidelines that will be placed in their personnel file.

G-3 Mandatory Retirement Plan (401a)

- (a) All full-time employees are required to join the City's 401(a) plan after one (1) full year of continuous service.
- (b) This program requires joint contributions from the employee and the City. Except for uniformed Public Safety employees, each eligible employee must contribute 4.5% of his/her salary into the 401(a) plan. Uniformed Public Safety employees are required to contribute 7.15% of his/her salary. The City will make contributions as designated by the City Council. Employees returning from active military duty may receive any employer contributions missed during their absence upon their return if they choose to "make up" the contributions missed during their military leave. We will follow USERRA guidelines that allow employees to make up their missed contributions if they so desire.
- (c) The employee's contribution will be handled through a pre-tax payroll deduction and begins automatically when the employee becomes eligible after 1 year of employment.
- (d) Vesting in the employer's contribution to the plan is as follows:
 - 25% after two years of service,
 - 50% after three years,
 - 75% after four years,
 - 100% after five years.
- (e) Employee contributions to the plan are always 100% vested.
- (f) This program is offered through MISSION SQUARE Retirement.
- (g) Eligible employees are allowed to determine their own investment strategy and manage their investment decisions. For retirement plan purposes only, retirement age is 55.

If an employee leaves the service of the City prior to age 55, they will be reimbursed for the amount of his/her contributions plus interest and for his/her vested portion of the City contribution.

- (h) Participation in the plan begins on the first of the month after one (1) full year of employment. A part-time employee who becomes a full-time employee shall be eligible for the 401(a) Plan under the guidelines established in Section G-16).

G-4 Voluntary Retirement Plan (457)

- (a) The City also offers a 457 Retirement Plan. Participation is voluntary.
- (b) All full-time employees are eligible to participate in this plan from the first day of employment. A part-time employee who becomes a full-time employee shall be eligible for the 457 Plan under the guidelines established in Section G-16.
- (c) There is no contribution from the City unless authorized by the Mayor.
- (d) The employee's contribution can be handled by a pre- or post-tax payroll deduction and begins upon election when the employee becomes eligible.
- (e) The employee is always 100% vested in his/her contributions plus interest.
- (f) The program is offered through the MISSION SQUARE Retirement.
- (g) Eligible employees are allowed to determine their own investment strategy and manage their investment decisions.
- (h) Contribution amounts are limited as required by Federal law.

G-5 Uniformed First Responder Profit Sharing Plan

- (a) Employees serving as uniformed first responders are eligible to participate in the Uniformed First Responder Profit Sharing Plan beginning the first day of the quarter following their hire date.
- (b) Contributions from the City are made semi-monthly. The amount of the contributions are determined each quarter and will be based on sales tax revenue receipts that fund this program.
- (c) There is a 10-year vesting schedule with zero vesting in years 1-4. Starting at year 5, the employee is 50% vested and an additional 10% vesting applies each year up to 10 years when the employee becomes fully vested.
- (d) The Police Chief, Police Captain, Fire Chief and Deputy Fire chief are 100% vested immediately upon entering the plan.

G-6 Health Insurance

- (a) Group health insurance is available to all eligible employees.
- (b) Full-time employees are eligible to participate in this program. Part-time employees who become a full-time employee shall be eligible for group health insurance under the guidelines established in Section G-17.
- (c) Coverage under this plan becomes effective the first of the month following 30 days of employment for full-time employees. If an employee fails to enroll at their first opportunity as a new hire, they will only be able to sign up for group health coverage during the annual open enrollment period.
- (d) The Governing Body annually determines the plans to be offered, and the City's contribution toward coverage.
- (e) The employee shall pay all costs toward health care insurance during any period the employee is on leave without pay, is on suspension without pay, or is on unauthorized leave.

- (f) No employee shall be entitled to a cash payment in lieu of health care insurance coverage.
- (g) The City complies with the provisions of the Federal Consolidated Omnibus Reconciliation Act of 1986 (COBRA) relating to the extension of group health care plan coverage upon resignation/termination of employment.

State law provides for the extension of employer-sponsored group coverage to any employee who retires from the City with at least 10 years of service. This coverage is available until age 65 solely at the retiree's expense. The City of Great Bend will make continued group health coverage available to any full-time employee and/or their spouse (to age 65) and covered dependents (to age 26) who have been covered under the City's group health plan. This coverage will apply only if the employee retires with at least 10 years of service with the City. If the spouse of the employee is not yet 65 when the employee retires and drops off the group plan, the City will continue to allow/carry coverage for the spouse until they reach age 65, subject to the current plan year premiums. If the covered dependent/s are not yet 26 at the time the employee retires, the City will allow/carry coverage until the dependent turns 26, subject to the current plan year premiums.

Premiums must be paid the first Friday of the month prior to coverage. If the former employee or their spouse or dependent fails to make the required monthly payment to The City of Great Bend, their group coverage will end, and they will be eligible for COBRA coverage.

Information on insurance premium costs can be obtained from Human Resources.

G-7 Dental and Vision Insurance

- (a) All full-time employees are eligible to participate in the group vision and dental insurance programs.
- (b) The cost to participate in this program is paid by the employee. Premium costs will be handled through a payroll deduction.
- (c) Eligibility for this program begins on the first of the month following 30 days of employment. A part-time employee who becomes a full-time employee shall be eligible for the dental insurance plan under the guidelines established in Section G-17.
- (d) Information on insurance premium costs can be obtained from Human Resources.

G-8 Life Insurance

- (a) All full-time employees are eligible to participate in the City's Group Life Insurance Policy which becomes effective the first of the month following 30 days of employment. A part-time employee who becomes a full-time employee shall be eligible for the life insurance plan under the guidelines established in Section G-17.
- (b) The cost of this coverage is paid for by equal contributions from the City and the employee. The employee's share of the premium cost is handled through a payroll deduction. The amount of life insurance coverage available is equivalent to two times the employee's annual salary rounded to the nearest \$1000.

- (c) Per IRS regulations, any group life insurance over \$50,000 is considered taxable and the Finance Department will figure that amount which is based on age and the amount of premiums the employee paid throughout the year. Any taxable amount due will be taken out of the payrolls in November and December.

G-9 Unemployment Compensation

All employees receive the benefits of the Kansas Employment Security Act (unemployment compensation), in accordance with such law and guidelines. The cost of this benefit is paid entirely by the employer.

G-10 Flexible Benefits Plan

- (a) The City of Great Bend offers a Flexible Benefit Plan (also called a Section 125 Plan) to all full-time employees.
- (b) The Flexible Benefits Plan allows participating employees the opportunity to pay their share of insurance premiums and certain out-of-pocket expenses on a pre-tax basis.
- (c) Expenses payable on a pre-tax basis include the following:
 - (1) The employee's share of employer provided insurance premium expenses for health, dental, vision, cancer, accident, and life insurance.
 - (2) Medical, dental, vision, and hearing expenses not covered by insurance, including deductibles and co-payments. These expenses are referred to as medical reimbursement expenses.
 - (3) Child/dependent care expenses. These expenses are referred to as dependent care expenses.
- (d) Participation in the program is strictly voluntary. Deductions for these expenses are handled through an automatic payroll deduction based upon employee elections. Except for Short and Long-Term Disability premiums and ROTH contributions, all other benefit deductions will be taken on a pre-tax basis.
- (e) To be eligible for the flexible benefits plan, you must be 18 years of age and you must work no less than 30 hours per week. If you meet these requirements, you will be eligible to participate on the first day of the month following 30 days of service.

G-11 Health Club Membership

All employees and their dependents may enroll in a voluntary membership at Club 1 Fitness at discounted rates if premiums are taken through payroll deduction. Employees are responsible for any fees and enrollment costs due Club 1 for the period prior to their official effective date through payroll. Employees may enroll as a new hire at their first opportunity or at Open Enrollment to take effect January 1.

G-12 Educational Assistance

- (a) Full-time employees may be allowed to take individual courses or follow a course of study related to his/her career with the City and be reimbursed for certain expenses.
- (b) Employees must receive prior approval for any coursework from their Department Head and the City Administrator before they will be eligible for reimbursement.
- (c) Employees must satisfactorily complete their coursework with a grade of C or better and provide documentation prior to receiving reimbursement.
- (d) At the discretion of the City Administrator and Department Head, the City may reimburse an employee for all, or part of, expenses incurred for books, tuition, and/or fees.

G-13 Employee Assistance Program

- (a) The City of Great Bend offers an Employee Assistance Program, (EAP) for City employees.
- (b) Employees may utilize The Center for Counseling and Consultation or Avenues for Change to provide three (3) counseling sessions on a confidential basis. When a City employee contacts one of the options listed here, they should explain they are a City employee and need to schedule an EAP visit. No information from any sessions provided by either facility to a City employee will be provided to the City other than the number of visits utilized in each monthly billing cycle.
- (c) Counseling services available through this program include, but are not limited to, alcohol and drug counseling, stress management, divorce, marital problems, grieving, anxiety, etc.
- (d) Employees will be provided with up to three free consultations per calendar year. If additional sessions are required, they may be covered by the City's insurance plan under the terms of the contract.
- (e) Contact the Human Resource Director or the Department Secretary for details about this program or assistance in scheduling an appointment.

G-14 Additional Benefits

- (a) The City provides supplemental insurance programs for short and long-term disability, cancer, and accident insurance.
- (b) The cost to participate in these programs is paid for solely by the employee. Premium costs will be handled through a payroll deduction. For some benefits, employees may elect to pay their share of insurance premiums through a pre-tax deduction for benefits as outlined in Section G-10.
- (c) Uniformed First Responders are covered under a Long-Term Disability plan paid for by the City. Employees are eligible for this coverage on the first of the month after 30 days of employment.
- (d) Eligibility for these programs begins at the first of the month after 30 days of full-time employment. A part-time employee who becomes a full-time employee shall be eligible for these plans under the guidelines established in Section G-16.

- (e) Information on these plans can be obtained from Human Resources or the Department Secretary.
- (f) Employees will be informed of the availability of these plans during the new employee orientation. New employees will be required to sign an acknowledgment form regarding the availability of these plans that will be placed in their personnel file.

G-15 Funeral Memorials/Flowers

- (a) In the event of the death of a current City employee, their spouse/significant other or child, the City will make a memorial contribution in the amount of \$50. A memorial contribution will be made to charities listed in the obituary in the following order: education funds, local or national charities. Human Resources has the option of dividing the memorial equally if more than one local charity is listed. If no memorial is listed, the City will send a \$50 floral arrangement to the funeral home.
- (b) The Human Resource Director is responsible for handling this process. Department Heads are responsible for notifying Human Resources if a memorial gift or flowers need to be sent in the event of the death of an employee, employee's spouse/significant other or child.

G-16 General Disclaimer

- (a) In the event of a conflict between the terms of our benefits as outlined in this policy manual and the terms as outlined under any formal plan documents, the terms of the formal plan documents will control.
- (b) The City of Great Bend reserves the right to modify its benefit plans at any time, with or without notice to employees.

G-17. Employee Transitioning to Full-Time Employment

Part-time employees moving into a full-time position have the same waiting period for benefits as new hires. Benefits will be effective from the first of the month after 30 days of full-time employment.

Section H Disciplinary Action

H-1 Authority to Discipline

Authority is delegated by the City Administrator to Department Heads to discipline personnel in their departments for the violation of City personnel policies and department regulations. The City has a progressive discipline policy but recognizes that this is not always possible and each situation that may need disciplinary action depends upon its own factual evidence. Certain serious infractions or misconduct may justify skipping one or more steps, including moving to immediate termination.

If steps are to be skipped, there will be consultation with the Human Resource Director and/or the City Attorney first. Department Heads shall exercise good judgment and discretion in taking or recommending disciplinary action.

H-2 General Policy

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

An employee is subject to disciplinary action if:

- (a) The employee violates these personnel policies and guidelines, or any other written guidelines or procedures applicable to the department in which the employee works.
- (b) The employee's conduct reflects unfavorably on the City or hinders the effectiveness or efficiency of City operations.
- (c) The employee has performed an act of misconduct or has failed to perform an act that results in misconduct.
- (d) The employee fails to satisfactorily fulfill the requirements of their job.

H-3 Disciplinary Actions

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

- (a) **Counseling/Coaching.** Counseling is an opportunity to visit with the employee regarding concerns and to clarify any expectations that need to be met.
- (b) **Verbal Warning.** A verbal warning is an oral reprimand given to an employee by his/her supervisor or Department Head. A written record of the verbal warning shall be placed in the employee's file. The employee is also entitled to a copy.
- (c) **Written Warning.** A written warning is a written censure to an employee by his/her supervisor or Department Head. A written warning shall state all pertinent information related to reasons for the reprimand, corrective action to be taken by all parties involved, and future consequences of repeating the action. A copy of the warning shall be placed in the employee's file. The employee is also entitled to a copy.
- (d) **Probation.** Probation is a trial period of a specific length of time during which an employee is required to fulfill a set of conditions, or to improve work performance, or to improve on-the-job behavior. Failure to meet probationary requirements may result in further disciplinary action.
- (e) **Salary Reduction.** A salary reduction is the lowering of an employee's rate of pay within the pay range to which the employee's position is assigned.

- (f) **Denial or Delay of Step Increase.** A supervisor or Department Head may deny or delay a step increase to an employee as part of their disciplinary action.
- (g) **Demotion.** A demotion is the placement of an employee into a position of a lower pay range.
- (h) **Suspension.** A suspension is the removal of an employee from service, without pay, for a specified period of time. In the case of both suspension and demotion, an employee shall be given notice in writing stating the date of occurrence, cause, length of time, and other pertinent information. A suspension without pay shall not exceed ten (10) business days for any given offense except an employee who is under criminal investigation for an offense not related to his/her job. In this case, the employee may be suspended without pay pending the full investigation. Following such an investigation and depending on the outcome, the employee may be reinstated with the approval of the City Administrator. Suspensions, except those in lieu of termination, will not end until the hearing process, if any, has reached a definitive conclusion.
- (i) **Termination.** Termination is the removal of an employee from City employment. An employee being involuntarily terminated shall be given written notice of the reason for discharge from employment.

H-4 Procedure for Disciplinary Action

Whenever the misconduct of an employee justifies the application of disciplinary action, the supervisor or Department Head shall:

- (a) Document the misconduct in writing. Describe what happened, when, where, etc. If appropriate, include written statements from any witnesses.
- (b) Following an investigation involving all necessary parties to determine the facts, determine the appropriate disciplinary action to correct the problem. If the action is to involve anything more serious than a verbal warning, the supervisor and/or Department Head shall consult with the Human Resource Director and/or the City Attorney before meeting with the employee.
- (c) Meet with the employee to review the disciplinary action. The meeting should be held in private and include only the employee, supervisor, and/or Department Head. The Director of Human Resources and/or other people may be requested to be present by the supervisor and/or Department Head.
- (d) Provide the employee an opportunity to dispute the facts or argue against the disciplinary action by submitting comments in writing to be attached to the record of the disciplinary action.
- (e) The original discipline documentation shall be provided to the Human Resource Director for insertion in the employee's personnel file. Documentation for all forms of disciplinary action should include the employee's signature. This does not imply that the employee agrees with the documentation but ensures that the employee is aware of the contents of the documentation. In the event the employee refuses to sign the documentation, a notation to that effect shall be witnessed by a third party and become part of the record.

H-5 Misconduct Subject to Disciplinary Action

- (a) The following is a list of misconduct that may subject an employee to disciplinary action. **This list is not exclusive; it is only representative of the types of misconduct that may subject an employee to disciplinary action.** Nothing in

this list is intended to, or should be construed to, limit an employee's right to engage in protected free speech or freedom of association under the 1st Amendment or to exercise his/her rights under the Americans with Disabilities Act.

- (1) Conviction of a violation of any state or federal criminal law.
 - (2) Conviction of a violation of any City law.
 - (3) Failure to follow prescribed safety procedures including failure to notify his or her supervisor of unsafe working conditions.
 - (4) Violation of personnel policies and guidelines or departmental policies and guidelines.
 - (5) Inattention to duty, carelessness, breakage, or loss of public property or funds.
 - (6) Poor performance, incompetency, or inefficiency in the performance of the duties of the employee's position.
 - (7) Insubordination or other breach of discipline.
 - (8) Discourteous or disruptive conduct or other offensive behavior in public, to other employees of the City, or to any member of the public while in the course and scope of City business.
 - (9) Abuse of leave, excessive absenteeism and tardiness.
 - (10) Temporarily leaving the workplace without the approval of his/her supervisor.
 - (11) Failure to give proper notice of absence.
 - (12) Sleeping on the job with the exception of the Fire Department.
 - (13) Use of alcohol or drugs while on duty.
 - (14) Use of alcohol or drugs, off the job, if such impairs job performance or effectiveness as a City employee.
 - (15) Inducing or attempting to induce any officer or employee of the City to commit an unlawful act or to act in violation of any lawful or official order or regulation.
 - (16) The open carrying of a firearm, if not authorized by the City.
- (b) In the case of acts of violence or other flagrant misconduct, serious safety violations, or criminal offense, any employee may be suspended immediately, without pay, pending an investigation and review of the matter. An employee may be suspended without pay or terminated when he or she has been charged with a crime and is awaiting legal adjudication. An employee may be suspended without pay when he or she has been charged with misconduct while on the job and an internal investigation is being conducted.

H-6 Causes for Termination

Examples of serious misconduct for which an employee may be immediately terminated include the following. **The list is not exclusive. It is only representative of the types of misconduct that may subject an employee to termination.** Reasons listed for termination under this section may also constitute misconduct for which an employee may be subjected to disciplinary action other than termination.

- (a) Conviction of a felony or conviction of driving under the influence while operating a City vehicle.
- (b) Willful or continued violation of City or departmental safety policies and procedures or negligent creation of unsafe conditions in the workplace.
- (c) Willful or continued violation of personnel policies and guidelines or departmental guidelines.

- (d) Negligent or willful damage to public property or waste of public supplies or equipment.
- (e) Taking or using any funds or property of the City for personal use or for sale or gift to others or the making of any false claim against the City.
- (f) Gross incompetence, neglect of duty or willful or continued failure to provide satisfactory service.
- (g) Refusal to abide by any lawful official regulation or order, failure to obey any proper direction made by a supervisor or Department Head, or knowingly making a false statement to any employee or officer of the City.
- (h) Claiming leave time under false pretenses or falsifying attendance records for oneself or another employee.
- (a) Absence without paid leave. Employees who receive donated benefit time are still considered to have exhausted their personal leave accrual which may be grounds for termination.
- (b) Possession or use of alcohol or drugs, except when prescribed by a physician, while on duty. Sale of, or offering for sale or giving away, alcohol or drugs while on duty or at the workplace.
- (c) Sexual harassment.
- (d) Disclosing confidential records or information unless directed to do so by a supervisor or Department Head.
- (e) Revocation or suspension of a certification or license, including a driver's license, when such is required as a condition of City employment.
- (f) Material falsification of application for City employment or making a false statement or report regarding any test, certification, or appointment or any attempt to commit any fraud that violates the merit principles of personnel administration.
- (g) Giving or attempting to give any monetary consideration or the delivery of undeserved service to or from any person or organization for, or in connection with, any test or appointment.
- (h) Taking or offering to take from any person for the employee's personal use, any fee, gift, or service of value, in the course of his/her work or in connection with it, when such gift or service is given in the hope or expectation of receiving a favor or better treatment than that accorded any other person.
- (i) Accepting a bribe, gift, money, or other things of service or value intended to perform or refrain from performing any official act, engaging in any act of extortion with the intent of obtaining money or other things or service of value through his/her position in the service of the City.
- (j) Discharge of duties in a manner which results in discrimination to any person based on race, creed, color, sex, age, physical or mental disability, national origin, genetic information, sexual orientation, gender identity or expression.

H-7 Discipline Retention

All disciplinary actions will permanently remain in the employee's personnel file. However, verbal warnings more than one year old and written warnings, suspensions, and demotions more than 2 years old will not impact the employee's ability to receive pay increases or promotions based on performance. For this policy, the term "discipline" refers to verbal warnings, written warnings, suspensions, and demotions.

H-8 Duty to Cooperate

In the course of an employer's operations, it is often necessary to interview employees in the context of a workplace investigation relating to a variety of issues, such as alleged discrimination, workplace injuries, or rules violations. Employees may be required to participate in such an investigation. Failure to cooperate with such an investigation is grounds for disciplinary action, up to and including termination.

Section I Grievances

I-1 General Policy

An employee has the right to present a complaint or grievance concerning his/her job, working conditions, salary, relationship between employees and co-workers, supervisor, or Department Head, or other inner office dynamics. Grievances should be considered issues related to non-disciplinary matters. If an employee feels he or she is facing harassment in the workplace, the employee should follow the steps outlined in K-13, K-14, and K-15 of this policy rather than proceeding with a Grievance Complaint under this Section. Our desire is to try to resolve differences utilizing the recognized chain-of-command. A sincere attempt should be made by each employee and supervisor to resolve their disagreements before it becomes necessary to resort to the grievance procedure.

I-2 Grievance Procedure

- (a) An employee who feels that he/she has a concern related to any of the above reasons must first meet with his/her immediate supervisor (or his/her Department Head in the supervisor's absence), as referenced by the City's Organizational Chart, to resolve any issue before it becomes necessary to resort to the grievance procedure.
If the grievance is against the immediate supervisor, the employee must turn in the grievance to the Department Head or the Human Resource Director.
- (b) Official grievances must be filed in writing with the Human Resource Director within five (5) calendar days of the grievance. The Human Resource Director shall review the complaint and immediately notify the employee's Department Head of the complaint.
- (c) An answer to the grievance shall be provided by the supervisor to the employee, in writing, within five (5) calendar days of the notice being filed with the Human Resources Director.
- (d) If the employee disagrees with the decision of the supervisor, the employee may request to forward the written complaint or grievance to his/her Department Head within five (5) calendar days. The Department Head shall provide an answer to the employee in writing within five (5) calendar days.
- (e) If the employee disagrees with the decision of the Department Head, the employee may request to forward the written complaint or grievance to the City Administrator or his/her designee within five (5) calendar days and request a hearing, provided the employee has informed their Department Head of the intent to do so.

- (f) The City Administrator or his/her designee shall conduct a hearing within thirty (30) calendar days after receipt of the written complaint or grievance. A record of such hearing may be made.

I-3 Hearing Procedure

- (a) At the hearing, all concerned parties shall be given an opportunity to present their respective side of the grievance together with any pertinent evidence or witnesses as deemed relevant by the City Administrator or his/her designee. All parties shall have the right to cross-examine adverse witnesses and evidence.
- (b) All parties shall be allowed the right to have legal counsel present.
- (c) The City Administrator or his/her designee may call for additional evidence as deemed necessary.
- (d) The City Administrator or his/her designee shall not be bound by the rules of evidence.
- (e) No City employee serving as a witness shall be subject to any restraint, interference, discrimination, or reprisal for any of his/her testimony in such hearing.
- (f) The City Administrator or his/her designee shall make a decision in writing within ten (10) business days of the conclusion of the hearing. Such decision shall be supported by the evidence.
- (g) A copy of the finding shall be provided to the employee and the Department Head and filed in the employee's personnel file.
- (h) The hearing shall not be open to the public unless the employee and the City both agree in writing to a public hearing.
- (i) The decision of the City Administrator or his/her designee regarding the grievance complaint shall be final.

Section J Separation

J-1 Resignation

- (a) An employee resigning his/her position is considered to be in good standing if he/she submits a written resignation and delivers it to his/her Department Head at least two weeks prior to the effective date of such resignation, giving a reason for his/her planned departure and the final date worked. In some instances, the Department Head may waive the two-week notice at their discretion.
- (b) For Department Head and City Administrator positions, 30 days' notice must be given.

J-2 Reduction in Work Force

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

- (b) In most cases of a reduction in work force, the employee shall be given two weeks' notice before being laid off. If the employee chooses to cease working immediately upon notice of these final two weeks, a final check will be issued for all accrued vacation leave, personal leave, and applicable sick leave on the next regular payroll date. If the Department Head wishes to terminate the services of that employee immediately, they would need to get the approval of the City Administrator and then the employee would be paid for two weeks of severance pay.
- (c) If a reduction in work force is necessary, the vacant positions will not be filled until conditions necessitate these vacancies to be filled. Former employees that are qualified may be given an opportunity for re-employment as these positions become available.

J-3 Reinstatement of Benefits

- (a) Benefits accrued from length of service are forfeited when an employee voluntarily leaves City employment. If an employee is re-employed at a later date, length of service rights begins to accrue from the employee's re-hire date.
- (b) Employee leave for military service is addressed under Section F-11 of this policy.

J-4 Exit Interviews

The Human Resource Director will attempt to conduct an exit interview with all terminating employees, either voluntary or involuntary, whenever possible.

Section K Other Policies

K-1 Vehicle and Equipment Usage

- (a) At the discretion of the City Administrator or Department Heads, certain employees may be assigned a City Vehicle to take home to ensure a quicker response to incidents when their specific skills may be needed to complete a task.
- (b) City vehicles and equipment shall be operated only in the performance of City business and only by those authorized personnel qualified to do so. City personnel shall be the only authorized passengers in City vehicles or equipment except for those non-City individuals who may be assisting with a City project or on authorized City business. Due to the need for some City employees to be available on call 24 hours a day, some positions may require a take-home City vehicle. If a city employee's job requires, he or she to be available 24 hours a day, the employee will not be considered in violation of KSA 8-301 when the city vehicle is used for incidental personal use. The primary purpose of the take home vehicle is to keep the employee accessible and responsive to the city's demands around the clock.
- (c) It shall be the responsibility of the respective Department Head and/or supervisor to ensure that their employees are legally licensed to operate City-owned vehicles and equipment.

- (d) It will be the City's policy to require a valid Kansas driver's license of City employees whose position requires them to drive a City vehicle on public roads. Anyone driving a City vehicle must also be insurable under the City's vehicle insurance policy.
- (e) Any employee found to be responsible for damage or loss of City property or equipment through negligence, carelessness, or abuse shall be subject to disciplinary action and may be required to reimburse the City for such damage or loss.
- (f) No equipment, material or supply belonging to the City of Great Bend shall be removed from its location or used without proper authority. The Supervisor, Department Head, or City Administrator shall be the only people with jurisdiction and authority to grant such permission.
- (g) Vehicles and other equipment assigned to individual personnel shall be used only as authorized by the City Administrator and/or Governing Body for City business. No city vehicle shall be used for personal business other than what's listed in the Vehicle and Equipment Usage policy.
- (h) No City employee shall operate a motor vehicle upon a public highway while using a mobile telephone while the employee's vehicle is in motion. The only exception to this policy is if the employee is using a hands-free device while engaging in a telephone call.

K-2 Political Activity

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

- (a) As private citizens, employees may participate in all political activities, including holding public office, except where holding an appointive or elective office is incompatible with the employee's City employment. Any employee choosing to become a candidate for any elective office shall first inform his/her Department Head and/or the City Administrator.
Any employee filing a declaration of candidacy for a public office that is incompatible with City employment and has not already arranged to take an unpaid leave of absence, automatically resigns from his/her city employment at the time of such filing. If the employee arranges to take an unpaid leave of absence, and is ultimately unsuccessful in seeking such elective office, he/she shall be returned to employment on the same terms and conditions as any other employee who has taken a leave of absence without pay.
- (b) Political activity must not interfere with job attendance or performance. Employees are not permitted to solicit or handle political contributions in City elections or wear or display political badges, buttons, or signs on their person or on City property during on-duty hours.
- (c) No supervisor or other person in authority shall solicit any City employee for contributions of money or labor for any candidate for elective office, or otherwise compel, or attempt to compel, any employee to support a candidate for elective office or to engage in any political activity.
- (d) The purpose of this policy is to prevent and avoid the appearance of impropriety on the part of any City employee. City employees are neither appointed to, nor retained in, the City's service based on their political affiliations or activities.

K-3 Outside Employment

- (a) Outside employment constitutes a City employee holding a second job with another employer.
- (b) Outside employment by a full-time employee is permitted only when such outside employment:
 - (1) Is considered secondary to employment with the City.
 - (2) Does not interfere with the performance of duties for the City.
 - (3) Does not create legal, financial, or ethical conflict of interest because of such employment.
- (c) No employee should conduct, or in any way engage in, another occupation or field of endeavor while on duty with the City.

K-4 Worker Safety

- (a) All employees are required to wear appropriate safety equipment and follow appropriate safety precautions according to City's Employee Safety Manual and/or departmental policy.
- (b) Failure to comply with safety policies may result in disciplinary action up to and including termination. Every employee will be provided with an Employee Safety Manual at the time they are hired.
- (c) Employees shall exercise good judgement and take appropriate precautions in the performance of their work.
- (d) Prompt action shall be taken to repair faulty equipment and correct hazardous conditions in work areas.

K-5 References

General inquiries that are received either by telephone or in writing regarding a present or past employee shall be referred to the Director of Human Resources. The City will provide verification of employment, dates of employment, the employee's title, or position, and whether they are eligible for rehire.

Only when an employee or former employee submits a request in writing will additional information be released related to their pay level, wage history, nature of employment termination, and reason(s) for separation.

K-6 Solicitation

- (a) It is the policy of the City to prohibit solicitation on its premises by individuals not associated with the City, other than the United Way campaign which will be considered a part of an internal City drive.
- (b) Exceptions may be made with the approval of the City Administrator and/or Department Heads.

K-7 Use of Official Badge or Credentials

- (a) Officials or employees who wear a badge or other official insignia or who bear credentials as evidence of their authority and/or identity, shall not permit such badge or insignia to be used or worn by any other person, or to otherwise leave their possession.

- (b) The Department Head shall not grant such approval except to persons regularly and formally appointed to the position designated by the badge or insignia.
- (c) Official badges or credentials shall not be used by any employee for personal gain.

K-8 Outside Activities

- (a) You are encouraged to participate in civic organizations, business and professional organizations, and charitable organizations in our community; however, if these activities involve significant time away from the employee's City responsibilities, the employee must first obtain approval of his/her Department Head or the City Administrator.
- (b) Supplies, material, or any property belonging to the City should not be used in more than an incidental way in the performance of these activities unless the employee's position at the City requires the employee's participation, or the City benefits substantially from the employee's involvement.

K-9 Personal Appearance

- (a) An important part of the impression made by the City is the general effect of personal grooming of City employees. The City expects neat, clean, appropriate dress and grooming.
- (b) We expect conservative choices of dress appropriate to our environment. Therefore, a highly casual and unkempt appearance is unacceptable. The Department Head has the final authority to determine if something is unacceptable.
- (c) It is the responsibility of each supervisor and/or Department Head to see that this policy is observed.
- (d) Employees shall comply with the requirements of their respective departments related to wearing apparel, personal appearance, hygiene, and safety.

K-10 Telecommunications Policy

The City's e-mail, computer, internet, and voicemail systems are City property. These systems are in place to facilitate the employee's ability to do his/her job efficiently and productively.

To that end, these systems are solely for City purposes, and abuse of these systems for personal use is prohibited. The City may intercept, monitor, copy, review, and download any communications or files employees create, maintain or access on the systems. When using the internet, exercise discretion. Sending materials of a sensitive nature or materials constituting "confidential information" is prohibited unless the information is properly encrypted to prevent interception by third parties. Employees have no expectation of privacy while accessing social media at work or on City-owned equipment.

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

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

Employee consent and compliance with e-mail, computer, internet, acceptable use, and voicemail policies is a term and condition of employment. Failure to abide by these rules, or to consent to any interception, monitoring, copying, reviewing, and downloading of any communications or files, is grounds for discipline, up to and including termination.

K-11 Acceptable Use Policy

1. Objective
 - a. This document establishes a policy regarding the acceptable use of network resources at any of the City of Great Bend facilities. The City of Great Bend wishes to protect the confidentiality and integrity of its' data assets and the privacy of its' users. The City of Great Bend also wants to ensure that electronic communications comply with state and federal laws.
2. Scope
 - a. This policy applies to all devices and networks owned or operated by the City of Great Bend. Anybody who uses a computing resource owned by the City of Great Bend is subject to the terms of this AUP and will henceforth be identified as a "user." Computing resources include all organization-owned hardware, software, data or information, accounts, and utilization of the network. Users include employees, contractors, representatives, volunteers, guests, and visitors.
3. Policy
 - a. User Privacy
 - i. Users have no expectation of privacy when using systems or networks owned by the City of Great Bend.
 - ii. Users should be aware that any activity on systems or networks owned by the City of Great Bend is subject to monitoring, logging, and review by the network administration team.
 - b. Users must:
 - i. Comply with all city policies.
 - ii. Only use resources for which they have authorization.
 - iii. Be responsible and accountable for the data on their computers.
 - iv. Control and secure, to the best of their abilities, physical and network access to any city-controlled resource they are entrusted with.
 1. For example, locking devices in a desk when not in use.
 - v. Properly log out of sessions.

- vi. Monitor access to their accounts.
- vii. Only use approved applications on city-owned devices.
- viii. Abide by the password policy.
- ix. Use accounts only for their authorized purpose.
- x. Use only legal versions of copyrighted software.

c. Users must not:

- i. Share access codes or passwords.
- ii. Send or receive sensitive information without ensuring proper security measures are in place.
- iii. Store sensitive data on unauthorized external media.
 - 1. Including but not limited to flash drives, CDs, DVDs, external hard drives, and external SSDs.
 - 2. Sensitive data may be stored on these mediums with the approval of the I.T. department.
- iv. Perform unauthorized or illegal actions.
 - 1. Including but not limited to fraud, hacking, buying or selling illegal goods.
- v. Use accounts or resources for unauthorized purposes.
 - 1. Including but not limited to visiting potentially dangerous websites, downloading, or uploading obscene/offensive/illegal material.
- vi. Tamper with, modify, or remove any restrictions placed by the City of Great Bend.
- vii. Physically or digitally damage any city resources.
- viii. Utilize city resources to commit copyright infringement.
 - 1. Piracy. Including but not limited to:
 - a. Downloading movies, music, or other copyrighted software without a license.
 - b. Uploading movies, music, or other copyrighted software.
- ix. Utilize city resources for commercial purposes unrelated to the City of Great Bend.
- x. Utilize city resources to propagate malware or malicious emails.
- xi. Intercept transmissions made by other users, except as allowed by this policy.
- xii. Attempt to degrade the performance of the network.
- xiii. Engage in activities that violate state or federal law.
- xiv. Connect networking devices to the network.
 - 1. Including but not limited to switches, routers, hubs, or wireless access points.

4. Reserved Rights

- a. The City of Great Bend reserves the right to access, monitor, and review the contents and activities of user accounts and computers as well as personal accounts and computers used to conduct city business.
- b. The City of Great Bend does not assume any responsibility in the event of the infection of an employee's personal device or the compromise of personal data due to misuse.

- c. The City of Great Bend does not assume any responsibility for any damage caused to a device due to user negligence or other outside factors. Users may be held responsible for damage rendered to devices with which they have been entrusted.
- 5. Consequences of Misuse
 - a. Users must report all suspected or confirmed illegal or unsavory activities to the system administration team at their earliest convenience.
 - i. Theft, fraud, piracy, hacking, etc.
 - b. Misuse of city resources will result in an incident review and could result in disciplinary action including but not limited to suspension, termination, civil penalties, or criminal sanctions.

K-12 Social Media Policy-Public Relations & Employee Use

- (a) **Purpose.** The City of Great Bend emphasizes excellent customer service, valuing the roles individuals play within the organization as well as creating an external sense of community, and measuring its performance against public expectations. As technology evolves, the City has expanded the scope of its communications plan to include social networking and other technologies to reach a broader audience. The City encourages the use of social media to enhance citizen's capacity to learn about the City and to enhance communication. This policy provides guidance for the public relations of City Social Media pages and for employee use of social media, which should be broadly understood for purposes of this policy to include blogs, photo and video sharing, wikis, microblogs, podcasts, message boards, chatrooms, electronic newsletter, online forums, social networking sites, mashups, virtual worlds and other sites and services that permit users to share information with others in a contemporaneous manner.

It is extremely important that the City of Great Bend take a measured, strategic approach to the implementation of social media to avoid potentially damaging consequences such as the presence of out-of-date information, the failure to provide appropriate information to citizens who have requested it, or the misrepresentation of the City of Great Bend's policies, services, or values.

The City Administrator shall approve what social media outlets may be suitable for use by the City and its departments. All departments requesting a presence on an approved social media site must submit a written request to the City Administrator. Once approved, the Department Head will meet with the Community Coordinator to establish the social media account. The Community Coordinator must be added as an Administrator and/or have the username and password covering each site. This allows access for all Department Heads to examine all City pages if necessary.

(b) **Definitions**

- (1) Social Media: Generally, social media is any site or online process designed to facilitate simple and streamlined communication between users. Social media sites differ from conventional communication media such as online newspapers and magazines in that they tend to be less structured and complex, and more friendly, personal, and intimate in nature, and they tend to offer tools which allow for quick, unfiltered, and often a common form of spontaneous communication opportunities.
- (2) Social Network: For the purposes of this policy, the term "social network" or "social networking" refers to any interaction between a participant and any site deemed by the City of Great Bend to be social media, including, but not limited to: Facebook, Instagram, Govloop, LinkedIn, Parler, Twitter, Snapchat and YouTube. Interaction is not limited to accessing the website of such social media sites, but also sending to or receiving from such sites any e-mails, text messages, or any other electronic interaction.
- (3) Official: In terms of this policy, "official" refers to any site or process set up by the City of Great Bend, its employees, agents, or contractors, which serves to communicate sanctioned City of Great Bend information or engages citizens in discussion about topics, services, or processes under the approval of the City of Great Bend.
- (4) Comments: Includes without limitation, any content, information, articles, pictures, videos, or any other form of communicative content posted through Social Media. May also be referred to as "Posts" or "Postings."

(c) **Policy for Public Relations on City Pages**

- (1) All official City appearances on social media sites or services are considered an extension of the City's information networks and are governed by the Telecommunications Policy (K-10) contained in this Handbook.
- (2) Departments that use social media are responsible for complying with applicable federal, state, and local laws, regulations, and policies. This includes adherence to established laws and policies regarding copyright, records retention, Freedom of Information Act (FOIA), the Kansas Open Meetings Act, the First Amendment, privacy laws, and information security policies established by the City of Great Bend.
- (3) Whenever applicable, links to more information should direct users back to the City's official website for more information, forms, documents, or online services necessary to conduct business with the City.
- (4) Employees representing the City via social media outlets must always conduct themselves as representatives of the City. Employees that fail to conduct themselves in an appropriate manner shall be subject to the disciplinary procedures outlined in the City of Great Bend Employee Handbook and the Telecommunications Policy.
- (5) Employees shall have no expectation of privacy when using social media sites. With that, employees are not to publish, post or release any information that is considered confidential or not public. This includes both city sites and personal sites.
City employees should remember that even on personal accounts, they are considered a representative of the City of Great Bend.
- (6) The City will monitor content on each department's social media sites to ensure adherence and compliance with the Social Media Policy for use, messages, and branding consistent with the goals of the City.

- (7) Each site that represents and/or contains City of Great Bend material, department information, attraction information, etc. shall remain Great Bend property even if the employee who developed it is no longer an employee. That employee will be removed from the site on the day of termination or before if necessary.
- (8) Violations of these standards may result in the removal of department pages and/or personal administrative rights from social media outlets. Social media networks, blogs and other types of online content sometimes generate press and media attention or legal questions. Employees should refer these inquiries to both Supervisor and Community Coordinator for documentation purposes.
- (9) When an employee uses Social Media to communicate on behalf of the City of Great Bend, it will be considered time worked and should be done during regular work hours.
- (10) If employees encounter a situation while using social media that threatens to become antagonistic, employees should disengage from the dialogue in a polite manner and seek the advice of a supervisor.
- (11) Employees who are authorized to use social media to promote the City must also fulfill all other duties identified in their job descriptions and should see to it that they are not spending time on personal social media sites while performing the duties of their job related to social media use for the City.
- (12) If a social media account is created and represents a Department or area of the City, Community Coordinator must be named an Administrator on the account or proper reports should be made to social media outlets by Community Coordinator to keep control and manage city information. Each city staff member signed up as an administrator or editor must sign a Social Media Strategy & Purpose form.

(d) Policy for Employees Participating in Social Networking

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

A. **Basic Beliefs for Social Media Use:**

- i. Know and Follow the Rules: carefully read these guidelines, the City's Ethics Policy, The City's Disciplinary Action, the City's Workplace Conducts Statement, and the City's Sexual Harassment policy. Ensure your postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.
- ii. Be Respectful: always be fair and courteous to fellow employees, customers or the public, members, suppliers, or people who work on behalf of the City. Also, keep in mind that you are more likely to resolve work related complaints by speaking directly with your co-workers or by speaking directly with management rather than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video, or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage customers, members, employees, or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm one's reputation or posts that could contribute to a hostile work environment based on race, sex, disability, religion, or any other status protected by law or company policy.
- iii. Be Honest and Accurate: make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about the City, fellow employees, members, the public, customers, suppliers, and/or people working on behalf of the City or competitors.

B. **Post Only Appropriate Content**

- i. You must make it clear that any personal opinions expressed are yours in your individual capacity, not as representatives of the City or otherwise on the City's behalf.
 1. If you do publish a post online related to the City, it is best to include a disclaimer such as *"The postings on this site are my own and do not necessarily reflect the views of the City."* It should be noted however that a disclaimer will not prevent an employee from being disciplined if their communication has the effect of violating any City policy.

- ii. Must not identify other persons, fellow employees, organizations, taxpayers, customers, suppliers, or vendors of the City or disclose their personal contact information.
- iii. Employees who are not otherwise authorized by appropriate City Administration, must never report to be speaking on behalf of the City, or represent their opinions or statements as the policy or view of the City, or that of any City employee in his/her capacity as a representative of the City.
- iv. Should never provide references for City employees or former employees on social or professional networking sites, as such references, positive and negative, could be attributed to the City and could create legal liability for both the employee, and the City.
- v. While the City of Great Bend encourages its employees to enjoy and make good use of their off-duty time, City employees may be subject to discipline if their activities have the effect of disrupting the functioning or efficiency of the workplace. Activities which are considered disruptive include, but are not limited to: harassing, demeaning, or creating a hostile working environment for any other employee; disrupting the smooth and orderly flow of work within the City; disrupting working relationships, or any action that detrimentally affects the reputation of the City.
- vi. As an employee of the City, you can be judged by your actions in person and online. Please remember that even if your comments don't violate this policy, if they violate other policies, proper discipline may be necessary.
- vii. Remember that violations of this policy may result in disciplinary action, up to and including immediate termination.

K-13. Smoking Policy

Smoking (as defined by State statute) is prohibited in any indoor workplace. This includes City-owned buildings, including shops, garages, offices, etc. This ban extends to a ten-foot radius outside building access points such as doorways, open windows, and air intakes. Smoking is also prohibited in all City-owned vehicles.

K-14 Workplace Conduct Statement

It is the policy of the City of Great Bend to maintain a work environment free of intimidation, insult, and harassment of its employees without regard to race, color, religion, age, gender, national origin, disability status, genetics, protected veteran status, sexual orientation, gender identity or expression, or any other characteristic protected by federal, state, or local laws. To ensure that this policy is strictly adhered to, the City will not tolerate harassment of any of its employees and will take immediate disciplinary action if such behavior occurs. The specific issue of sexual harassment is expanded upon and addressed in Section K-15 of this policy.

- (a) Any employee who feels he/she is being subjected to harassment for one of the above reasons should immediately contact one of the persons listed below with whom the employee feels the most comfortable.
Complaints may be made orally or in writing to:
 - (1) Employee's immediate supervisor.
 - (2) Employee's Department Head.
 - (3) Human Resource Director.
 - (4) Other supervisory personnel.
 - (5) City Administrator.
 - (6) City reporting hotline: 1-855-662-SAFE.
- (b) It shall be the responsibility of the Human Resource Director to coordinate the investigation of harassment complaints according to the same steps outlined in the sexual harassment policy. If the Human Resource Director is the subject of the complaint, the City Administrator shall coordinate the investigation. If the City Administrator is the subject of the complaint, the Mayor shall coordinate the investigation.

K-15 Workplace Violence Statement

- (a) It is the policy of the City to promote a safe environment for its employees. The City is committed to working with its employees to maintain a work environment free from violence, threats of violence, harassment, intimidation, and other disruptive behavior. While this kind of conduct is not pervasive at our organization, we are not immune.
- (b) Violence, threats, harassment, intimidation, and other disruptive behavior in our workplace will not be tolerated. All reports of incidents will be taken seriously and will be dealt with appropriately. Such behavior can include oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm. Individuals who commit such acts may be removed from the premises and may be subject to disciplinary action (up to and including termination), criminal penalties, or both.
- (c) We need your cooperation to maintain a safe work environment. Do not ignore violent, threatening, harassing, intimidating, or other disruptive behavior. If you experience or observe such behavior by anyone on City premises, whether he/she is a City employee or not, report it immediately to a supervisor or Department Head. Supervisors and Department Heads who receive such reports should seek advice from the Human Resource Director regarding investigating the incident and initiating appropriate action.
- (d) Threats or assaults that require immediate attention should be immediately reported to the City of Great Bend Police Department.

K-16 Sexual Harassment

- (a) It is the policy of the City to maintain a work environment free of intimidation, insult, and harassment without regard to race, color, religion, age, gender, national origin, disability status, genetics, protected veteran status, sexual orientation, gender identity or expression, or any other characteristic protected by federal, state, or local laws.

To ensure this policy is strictly adhered to, the City will not tolerate sexual harassment of any of its employees and will take immediate disciplinary action if such behavior occurs.

- (b) Sexual harassment is defined as:
 - (1) The threat or insinuation by one employee or group of employees, either explicitly or implicitly, that the refusal to submit to sexual advances will adversely affect employment, evaluation, wages, advancement, assigned duties, shifts, or any other condition of employment or career development; and
 - (2) The subjecting of an employee, by another employee, to unsolicited and unwelcome sexual overtures or conduct, either verbal or physical, to create an intimidating, hostile, or offensive working environment.
- (c) No employee, whether supervisory or non-supervisory, may sexually harass another employee. Sexual harassment includes, but is not limited to:
 - (1) Unwelcome touching, propositions, advances.
 - (2) Abusive and/or vulgar language of a sexual nature.
 - (3) Suggestive jokes or comments about an employee's body or clothing.
 - (4) Displaying sexually graphic or suggestive pictures, photographs, cartoons, etc.
 - (5) The use of Telecommunications to e-mail sexually explicit images, messages, or cartoons.
- (d) If an employee believes that he/she is the victim of unwelcome behavior that would constitute sexual harassment, they are encouraged to immediately report all incidents to any supervisor as listed in Section K-15(e). If an employee witnesses what he or she believes to be harassment in the workplace, the employee is encouraged to report it to Human Resources.
- (e) Any employee who feels he/she is being subjected to sexual harassment should immediately contact one of the persons listed below with whom the employee feels the most comfortable. Complaints may be made orally or in writing to:
 - (1) Employee's immediate supervisor.
 - (2) Employee's Department Head.
 - (3) Human Resource Director.
 - (4) Other supervisory personnel
 - (5) City Administrator.
- (f) The employee should be prepared to provide the following information:
 - (1) Employee's name, department, and position title.
 - (2) Name of the person or persons committing the harassment.
 - (3) Date(s) and approximate time(s) of the harassment.
 - (4) The specific nature of the sexual harassment, how long it has gone on, and any employment action (demotion, failure to promote, dismissal, refusal to hire, transfer, etc.) taken against the employee because of the harassment, or any other threats made against him/her pertaining to the harassment.
 - (5) Witnesses to the harassment, if any.
 - (6) Names of others who may have been subjected to the harassment.
 - (7) Whether the employee has previously reported such harassment and if so, when and to whom.

- (g) After receiving a sexual harassment complaint, the person receiving the complaint shall assist the employee filing the complaint by documenting the incident in writing. The employee shall sign the written complaint, attesting to the accuracy and truthfulness of the incident. All information disclosed in the complaint procedure will be held in the strictest confidence and will be disclosed only on a need-to-know basis in order to investigate and resolve the matter.
- (h) It is the responsibility of the Human Resource Director to coordinate and/or conduct the investigation of sexual harassment complaints. If the Human Resource Director is the subject of the complaint, the City Administrator shall coordinate the investigation. If the City Administrator or any member of the governing body is the subject of the complaint, an outside independent third-party investigator shall be hired and shall coordinate the investigation.
- (i) The following procedures shall apply to the handling of such complaints:
 - (1) The person to whom the complaint is made shall immediately present it to the City's Human Resource Director.
 - (2) An investigation of the alleged incident shall start promptly.
 - (3) The investigator shall make and keep a written record of the investigation, including notes of verbal responses made to the investigator by the person complaining of sexual harassment, witnesses interviewed during the investigation, the person against whom the complaint of sexual harassment was made, and any other person contacted by the investigator in connection with the investigation.
 - (4) The investigator shall notify the employee accused of the sexual harassment as promptly as possible of the complaint and the severity of the allegations (immediate notification is not necessary if such notification would jeopardize the investigation).
 - (5) The employee accused of the sexual harassment shall be given appropriate opportunity to dispute the allegation and present information and/or witnesses on their behalf.
 - (6) Based upon the investigative report, the investigator shall determine whether the conduct of the person against whom a complaint has been made constitutes sexual harassment. In making that determination, the investigator shall look at the record as a whole and the totality of circumstance, including the nature of the conduct in question, and the context in which the conduct, if an, occurred. Determination of whether sexual harassment occurred will be made on a case-by-case basis.
 - (7) If the investigator determines the complaint of sexual harassment is founded, he shall recommend to the employee's supervisor that immediate and appropriate disciplinary action be taken against the employee(s) found guilty of sexual harassment.
 - (8) The disciplinary action shall be consistent with the nature and severity of the offense. This shall include whether a supervisory relationship exists, and any other factors the investigator believes relate to fair and efficient administration of the City, including the effect of the offense on employee morale, public perception of the offense, and the light in which it casts the City. The disciplinary action may include demotion and/or suspension, reduction-in-pay, written warning, or termination. A determination of the level of disciplinary action shall also be made on a case-by-case basis.
 - (9) If the investigator determines the complaint of sexual harassment is unfounded, he shall notify the employee accused of sexual harassment of the determination and advise that no disciplinary action is warranted.

- (10) The employee making the complaint shall be notified of the results of the investigation and the discipline, if any, to be administered.
- (11) If the investigator determines after reviewing the investigation report that the complaint was intentionally falsified by the employee filing the complaint, they shall report such action to the employee's supervisor for immediate and appropriate disciplinary action, up to and including termination.
- (12) No employee will be subject to any retaliation from the accused or other employees due to filing a sexual harassment complaint.
- (j) All records concerning a sexual harassment complaint shall be confidential and kept in a separate locked file except those affected by the Kansas Open Records Act. Access to these records shall be given only with the appropriate party's approval to others who have a direct and relevant need-to-know.

K-17 Substance Abuse Policy

- (a) Employees of the City are our most valuable resource. Therefore, the health and safety of employees is a serious concern. The City will not tolerate substance abuse or use that imperils the health and well-being of its employees or threatens its service to the public. The use of illegal drugs and abuse of controlled substances, on or off duty, is inconsistent with law-abiding behavior expected of all citizens. Employees who use illegal drugs or abuse controlled substances or alcohol, on or off duty, tend to be less productive, less reliable, and prone to greater absenteeism, resulting in the potential for increased cost, delay, and risk in providing services.
Furthermore, employees have the right to work in a drug and alcohol-free environment and to work with people free from the effects of drug or alcohol abuse. Employees who abuse drugs or alcohol are a danger to themselves, other employees, and the public. In addition, substance abuse inflicts a terrible toll on the City's productive resources and the health and well-being of Great Bend workers and their families. The City is therefore committed to maintaining a safe and healthy workforce free from the influence of substance abuse. In addition, the City will vigorously comply with the requirements of the Federal Drug-Free Workplace Act of 1988 and implement rules outlined by the United States Office of Management and Budget.
- (b) It shall be the policy of the City to maintain a workforce free of substance abuse.
 - (1) Reporting to work or performing work for the City while impaired by prescription drugs or under the influence of, illegal drugs or alcohol is prohibited.
 - (2) The illegal use, possession, distribution, manufacture, or sale of a controlled substance by an employee at the work site, during work hours, or while the employee is on duty, official City business, or stand-by duty is prohibited.
 - (3) Violation of such prohibitions by an employee is considered conduct detrimental to City service and will result in disciplinary action.
 - (4) Employees are required by federal law to notify the employing City agency head or designee within five days of any criminal drug statute conviction where such conviction was due to an occurrence at the work site, during work hours, or while on duty, official business, or stand-by duty.

- A. An employee who is convicted of violating any criminal drug statute in such workplace situations as stated above will be subject to disciplinary action in accordance with appropriate administrative regulations up to and including termination.
 - B. A conviction means a finding of guilt (including a plea of no contest) or the imposition of a sentence by a judge or jury, or both, in any federal or state court.
- (5) Agencies that receive federal grants or contracts must, in turn, report any criminal drug convictions as stated above of their employees, engaged in the performance of a federal grant or contract, to federal agencies from which grants or contracts are received within ten (10) calendar days after receiving notice from the employee or otherwise receiving actual notice of such conviction.
- (6) Current and future employees will be given a copy of the Substance Abuse Policy. Employees will be informed that they must abide by the terms of the policy as a condition of employment and of the consequences of any violation of such policy. A Substance Abuse Policy Affirmation Form will be given to employees to read and sign.
- (7) The City reserves the right to require employees to take a drug or alcohol test if the City has individualized suspicion that there has been substance abuse.
- (c) The City encourages voluntary treatment for substance abuse. Employees wishing to take advantage of the Employee Assistance Plan should make an appointment with the Human Resource Director. Section G-13 addresses more details of our Employee Assistance Program.
- (d) This Substance Abuse Policy applies to all City departments. The term “employees”, as used in this policy, means all full-time and part-time City employees. This policy shall not be construed to prohibit or limit a drug-screening program.
- (e) The City reserves the right to require employees to take a drug or alcohol test if the City has individualized suspicion that there has been substance abuse that impacts job performance or that the person is under the influence while on duty. At least two employees must document the need for testing on the attached “Reasonable Suspicion Documentation” form. The Department Head or his or her designee must be notified of the concern of the two employees who filled out the form and the Department Head will make arrangements for the employee under suspicion to be tested. If during the hours of 8am to 8pm, Monday through Saturday and 1-7pm on Sunday, a member of management from that department must escort the employee to Xpress Wellness, located at 3800 10th Street where testing will be completed. If an accident occurs outside of these hours where an employee must be tested, Great Bend Police will administer a breath alcohol test to determine if alcohol was present in the employee’s system. The employee’s supervisor should then accompany the employee to Xpress Wellness at 8am the next morning or at 1pm on a Sunday if the accident occurs on a Saturday so that a post-accident drug test can be performed.

K-18 Drug and Alcohol Testing Policy

- (a) The City recognizes that the use and abuse of drugs and alcohol today is a very serious problem that has also found its way into the workplace. The City also recognizes the significant threat that a drug-impaired employee working in the transportation industry can pose to the safety of the worker, co-workers, and the public.

To address the safety threat presented by the problem of drug and alcohol abuse in the transportation industry, the Department of Transportation and the Federal Highway Administration have established extensive regulations requiring drug and alcohol testing under certain circumstances. Considering the above, the City has adopted a Drug and Alcohol Testing Policy to specify the circumstances under which drug and alcohol testing may be required, the procedures for conducting such testing, and the methods and procedures for complying with the requirements of the regulations.

- (b) The City's drug and alcohol testing program has been developed in compliance with existing federal regulations in a manner which ensures accurate and reliable test results, and thereby contains procedures designed to recognize and respect the dignity and privacy of all our employees.
- (c) The Human Resource Director with help from the Department Secretary for Public Works is responsible for the implementation and conformance with the Drug and Alcohol Testing Policy, and for record keeping and confidentiality of the drug testing process.
- (d) Employees who do not voluntarily come forward but are identified due to obvious impairment in the workplace, poor job performance and/or attendance, or have been involved in a workplace accident may be tested for "cause" and asked by their Department Head or the Director of Human Resources to submit to a drug screening test. (Consult with Human Resources to request and schedule the test)."
- (e) Failure to comply with this policy may lead to disciplinary action, up to and including termination.
- (f) Drug Testing will be allowed as follows:

- (1) Random. Safety sensitive positions will be randomly drug tested in compliance with federal and state law.

- 2. City employees, both DOT and non-DOT, are required to submit to testing to determine the presence of illegal drugs or alcohol under the following circumstances:

When the employee is performing their required job duties and is involved in a work-related accident in which there is a reasonable basis for concluding that drug or alcohol use could have contributed to the incident or if the accident results in any of the following:

- Injury or death.
- A citation is issued.
- Any damage over \$1000.
- For DOT employees, Compliance One must be contacted at, 800-886-1123. They will need to know the time of the accident, if there was an injury or death, if a citation was issued and if both vehicles involved in the accident are functioning and can be driven away.

When an accident occurs, the employee involved in an accident that meets the criteria listed above must contact their immediate Supervisor who will notify the Department Head or their designee. A call must be made to Compliance One at 800-886-1123 who will set up post-accident drug and alcohol testing for employees on the City's DOT roster.

If the accident involves an injury, the employee must be escorted to Xpress Wellness, located at 3800 10th St, Great Bend, KS 67530. The phone number is 620-603-4216. Xpress Wellness hours are Mon-Thursday, 9am – 5pm and Friday, 10am to 3pm.

If an accident occurs outside of these hours when an employee must be tested, we utilize D & A Testing Pros by calling 620-603-6107. Great Bend Police will administer a breath alcohol test to determine if alcohol was a factor in the accident. during the hours listed above.

For those employees who are required to have a CDL for their job, the appropriate "Federal" Chain of Custody form must be used, and the Department Head will have this information. Human Resources will make drug test kits available to all Department Heads. At the discretion of the Department Head, the employee may be taken off duty until the results of the Drug/Alcohol testing are received or in some cases, the employee may be placed in a non-operating position pending results.

Any City employee, both DOT or non-DOT, who must have a post-accident drug test must be accompanied to the testing facility by their Supervisor or other member of management.

SECTION 3. ACCIDENTS OCCURING OUT OF TOWN.

Any employee involved in an accident while out of town on City business must provide their immediate Supervisor with a copy of the police report pertaining to the accident as soon as possible upon their return to Great Bend.

SECTION 4. RESPONSIBILITY FOR ENFORCEMENT.

When there is a reasonable possibility that drug or alcohol use by the reporting employee was a contributing factor, an employee who refuses to consent and submit to a test when requested will be subject to disciplinary action, up to and including termination, pursuant to the City's discipline policy. Refusal to submit includes failure to provide adequate breath for testing without a valid medical explanation after receiving notice of the requirement for breath testing; failure to provide adequate urine for controlled substances testing without a valid medical explanation after receiving notice of the requirement for urine testing; engaging in conduct that clearly obstructs the testing process; and finally, leaving the scene of an on-the-job accident. Positive test results will result in disciplinary action up to and including termination.

K-19 Uniforms and Clothing

- (a) **Uniforms.** All uniforms provided by The City will be labeled with the department logo in places that are easily seen. The uniform is excludable from wages because it is specifically required as a condition of employment and is not to be worn or adaptable to general usage as ordinary clothing. Any clothing provided by the City is to be used for work purposes only. If this clothing is worn outside of normal working hours, employees may be subject to disciplinary action. All uniforms and clothing provided by the City are considered excludable from wages and must be turned in to the respective department when it is taken out of service or when employment ends.
- (b) **Clothing (Other Than Uniforms).**
 - (1) The City provides sweatshirts, coveralls, t-shirts, pants, polo shirts, jackets, swimsuits, etc. for designated personnel. The “City of Great Bend” name and/or department logo will be placed on all wearing apparel as described above. This apparel is excludable from wages because it is specifically required as a condition of employment and is not to be worn or adaptable to general usage as ordinary clothing. For non-taxable reimbursement, the employee must submit a receipt for the purchase amount of the clothing as well as a receipt for the cost of labeling the clothing with the City logo.
 - (2) Clothing provided to anyone that does not have the City name and/or logo (i.e., clothing for detectives) may be reimbursed according to department policy regarding clothing allowances. Since this clothing can be worn for personal use, the cost of the clothing will be considered taxable income to the employee and must be processed through the payroll system. If an employee pays directly for the clothing, they must submit a receipt to their department secretary for reimbursement.
- (c) **Work Boots.** The City of Great Bend will provide an allowance for the purchase of work boots to designated employees under department policy regarding clothing allowances. These boots are not considered part of an official uniform. As such, if the department decides to provide reimbursement for boots, employees must submit a claim for reimbursement with the paid receipt showing the cost of the boots. Since these boots can be worn for personal use, this will be considered taxable income to the employee, and it will be processed through the payroll system. Department Heads will be able to verify the current allowance amount for boots as set by the City Administrator.
- (d) **Work Pants.** The City of Great Bend will provide an allowance for the purchase of work pants to designated employees under department policy regarding clothing allowances. These pants are not considered part of an official uniform. As such, if the department decides to provide reimbursement for pants, employees must submit a claim for reimbursement with the paid receipt showing the cost of the pants. Since these pants can be worn for personal use, this will be considered taxable income to the employee, and it will be processed through the payroll system. Department Heads will be able to verify the current allowance amount for pants as set by the City Administrator.

- (e) **Uniforms for part-time employees.** No uniform will be provided for part-time staff other than a t-shirt/s as deemed necessary by the Department Head.

K-20 City-Issued Cell Phones/Electronic Device

Department Heads are responsible for determining who will be issued a City cell phone/electronic device (device). An "Employee Cell Phone/Electronic Device Release Form" will be signed at the time the device is issued. Employees carrying a City provided device should have no expectation of privacy and all information on the City issued device is property of the City of Great Bend. Non-exempt employees carrying a City issued device must record the time worked while answering work related calls outside of their normal shift.

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

Texting/emailing while driving is strictly prohibited by any City employee when performing any work for or on behalf of The City of Great Bend.

The City's Network Administrator oversees all City issued devices.

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

K-21 Use of Personal Cell Phones

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

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

K-22 Guns or Other Weapons

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

- (a) Any employee carrying a concealed handgun within a City building pursuant to the provisions of state law must keep the handgun completely concealed, in a proper holster or similar product, with all safety features in place.
- (b) Storage of Concealed/Carry Firearms: It is the sole responsibility of the employee to maintain firearms and ammunition by ensuring that such firearm is on his/her person and attended at all times.
- (c) No handgun shall be left unattended or stored in any city facility or building.
- (d) Employees are also permitted, while on City owned property, to store a firearm within their own vehicle provided that such storage is outside of plain view from the exterior of the vehicle and that the vehicle is locked when the employee is not in the vehicle.
- (e) Any employee who stores a concealed firearm in a vehicle owned by the City, during the course of employment must store the firearm in a locked case and place the case out of plain view from the exterior of the vehicle. expense. The City shall not be responsible for the theft, damage, or other loss of a firearm and/or locked case left in a City owned vehicle.
- (f) Except for certified law enforcement officers carrying a weapon in the course of their duties, if an employee chooses to exercise his/her statutory right to concealed carry, the City will not be responsible for any attorney fees resulting from the employee's use of his/her weapon. If the employee chooses to carry a concealed firearm, the firearm must remain on his/her person at all times. Any interruption in the employee's work due to his/her decision to concealed carry may result in disciplinary action up to and including termination. The City expects the employee to comply with all lawful requests from private property owners regarding his or her firearm. Any injury resulting from the concealed carrying of a firearm is considered outside the employee's course and scope of employment and will not be covered by workers' compensation.
- (g) In the event a City employee or official discharges a firearm while on duty, the Great Bend Police Department shall investigate the discharge and file a report of the investigation with the Department Head of the City department employing the employee. Based on this report, the Department Head will determine whether it constitutes grounds for disciplinary action, up to and including termination, subject to the procedures outlined in this handbook. The discharge of a firearm while on duty may also result in criminal charges. The City will not cover any attorney's fees or other costs related to any discharge of an employee's personal weapon.

Confirmation of At-Will Employment

I, _____, an employee of The City of Great Bend have read the City's personnel policies manual. I agree that I understand the policies and guidelines.

I also understand that my employment and compensation with The City of Great Bend are at-will and therefore can be terminated with or without cause, at any time without prior notice at my option or the City's option.

This document confirms that no one at The City of Great Bend has made any representation or promise that my job offers guaranteed employment or job security of any kind.

This at-will employment relationship will remain in effect throughout my employment with The City of Great Bend unless it is specifically modified by an express written employment agreement executed by an authorized representative of The City of Great Bend and me.

I also understand that this at-will employment relationship may not be modified by any oral or implied agreement, and that neither the City's personnel policies manual, nor any course of conduct, practice, policy, award, promotion, performance evaluation, transfer, or length of service can modify this at-will relationship.

I acknowledge that I have carefully read this manual and agreement, and that I understand its meaning. I further acknowledge that I have entered into this agreement voluntarily and am returning this document for my personnel file.

Agreed:

Date: _____

By: _____
Employee's Signature

Date: _____

By: _____
Director of Human Resources