

# **PERSONNEL POLICIES**

**AND**

# **PROCEDURES MANUAL**



**CITY OF  
FORT THOMAS, KENTUCKY**

**ORDINANCE O-12-2016**

**Updated 4-21-2021**

CITY OF FORT THOMAS

COMMONWEALTH OF KENTUCKY

Ordinance # O-12-2016

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PERSONNEL POLICIES AND PROCEDURES MANUAL

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## **CITY OF FORT THOMAS GOVERNMENT**

### **OUR MISSION**

The mission of the City of Fort Thomas is to serve our citizens in a manner that results in the highest possible quality of life within our community. In order to achieve this mission the city endeavors to:

- Treat all of our citizens (residents and businesses) as customers of the enterprise of local government and stockholders of our community,
- Provide a clean, safe and healthy environment in which to live, work, and play,
- Conduct all affairs of the city with integrity, equality and the highest level of personal ethics,
- Deliver a comprehensive program of quality city services in an efficient and effective manner resulting in good value, and
- Encourage participation and involvement of our citizens in issues of governance.

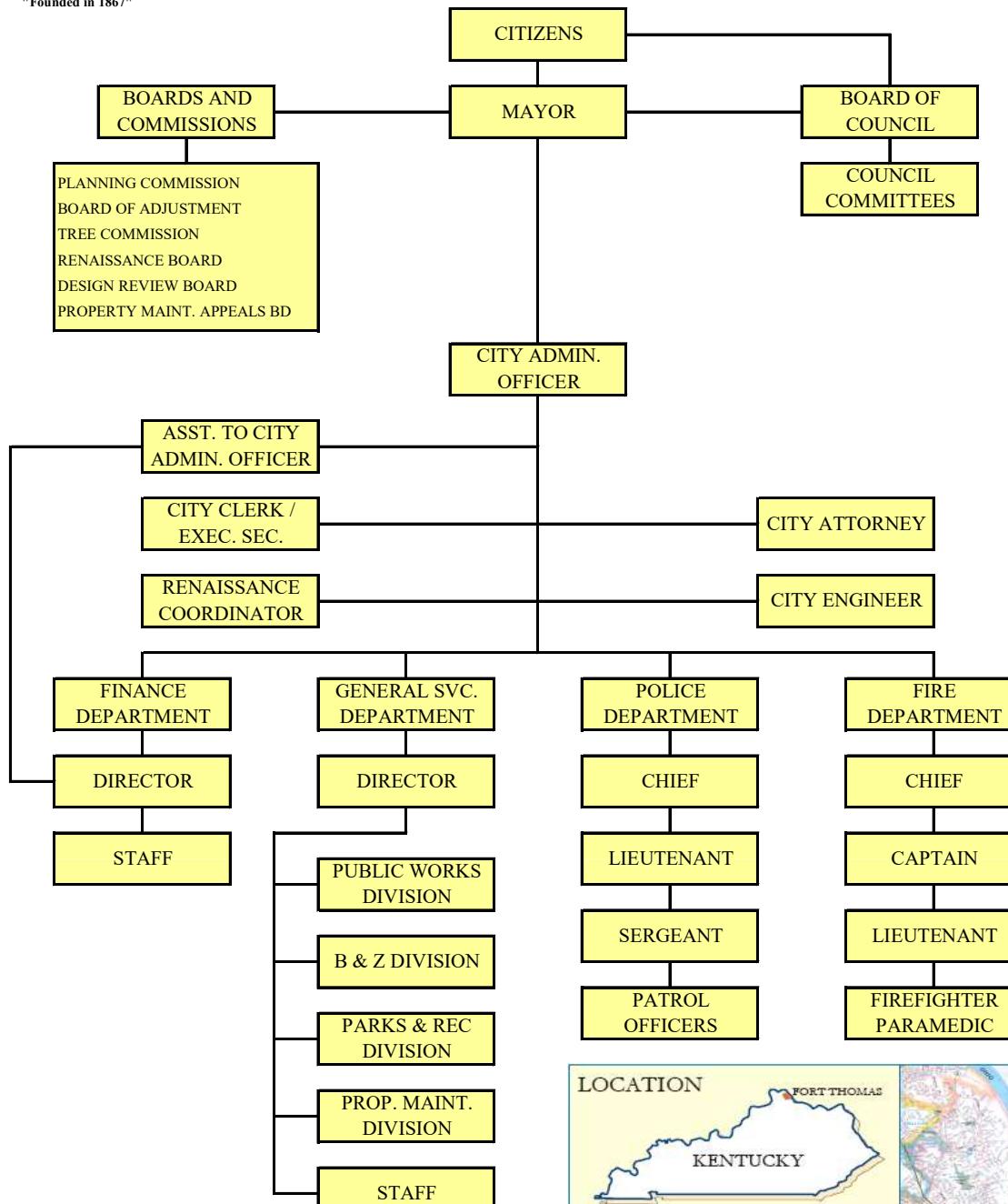
The elected officials, city staff and citizen volunteers consider it a privilege to serve our public.



"Founded in 1867"

# City of Fort Thomas, Kentucky

## Organizational Chart



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## SECTION I

### GENERAL PROVISIONS

#### **STATEMENT OF PURPOSE**

The City of Ft. Thomas (hereinafter referred to as the City) recognizes that a personnel system, which recruits and retains a competent, productive work force, is essential to effective and efficient local government. These policies and procedures have been developed in order to achieve recruitment, development and retention of employees and to achieve optimum efficiency, economy and equity in the pursuit of the City's goals and the utilization of its human resources.

The policies and procedures set forth below provide procedures for recruiting persons for all positions in the City service that clarify the responsibilities of City personnel, provide for their general welfare, and maintain good working relationships.

The policies and procedures will be maintained by the City Administrative Officer, and will be reviewed periodically in cooperation with other units of the City's administration. Recommended revisions will be made by the City Administrative Officer to the Legislative Body for final approval and incorporation into the Personnel Policies and Procedures Manual.

#### **SCOPE OF COVERAGE**

The following individuals of the City of Ft. Thomas are exempted from coverage:

1. All elected officials;
2. All citizen members of boards, committees, or commissions;
3. Consultants, advisors, and legal counsel rendering professional services;
5. Independent contractors; and
6. Members of volunteer organizations.

All individuals not explicitly exempted from coverage of these policies and procedures shall be subject to its provisions.

## **DEFINITIONS**

When used in these policies and procedures, the following words and phrases have the definitions indicated below, unless the context clearly indicates otherwise.

### **APPEAL**

A request made to a higher or different authority for a review of a decision or disciplinary action.

### **APPOINTING AUTHORITY**

The appointing authority is the chief executive officer of the City (Mayor).

### **APPOINTMENT**

The employment of an eligible applicant to a position.

### **CITY SERVICE**

Includes all officers and employees of the municipal corporation known as the City of Fort Thomas, its departments and offices.

### **CLASS**

One or more positions sufficiently similar with respect to duties, responsibilities, qualification and tests of fitness, such that the same descriptive title may be used to designate each position within the class and also, that the same salary range can be applied to positions within the class.

### **CLASSIFICATION**

The assignment of positions to a class.

### **COUNCIL or BOARD OF COUNCIL**

The Council of the City of Fort Thomas.

### **DEMOTION**

Changing an employee from a position in one class to a position in another class with a lower salary range.

### **DISMISSAL**

The termination of an employee's service by the Appointing Authority.

### **EMPLOYEE**

A person employed in a position in the city service.

### **KRS**

Refers to the Kentucky Revised Statutes.

### **LABOR AGREEMENT**

A written contract between the City and a recognized bargaining unit representing City employees, outlining wages, benefits and conditions of employment for covered employees.

**LAYOFF**

The separation of an employee from City service by the City because of a reduction of force due to decreased work, decreased funds, abolishment of the position or other material change in duties or organization.

**LEAVE OF ABSENCE**

An approved absence from work which is not separation.

**MAY**

The act referred to is permissive.

**PERSONNEL ADMINISTRATOR**

The City Administrative Officer or his/her designee.

**PROBATIONARY PERIOD**

A period of time following the employment of an employee to a position, which is used to evaluate the employee's adjustment to and performance of the duties of the position.

**PROMOTION**

The movement of an employee from a position in one class to a position in another class having a higher salary range.

**RESIGNATION**

The voluntary separation by an employee from City service.

**SHALL**

The act referred to is mandatory.

**SUSPENSION**

The temporary removal of any employee from his/her designated position.

**TRANSFER**

Changing an employee from one position to another which is assigned to the same class or class having the same salary range.

**PRONOUN USE STATEMENT**

To facilitate reading, generally the male pronoun "he" or "his" has been used. It does, however, refer equivalently to "she" or "her."

**LABOR AGREEMENT STATEMENT**

Employees who are covered under a particular labor agreement are subject to certain provisions which are specifically covered under their agreement. In these cases, the labor agreement shall supersede these policies and procedures. When such labor agreements are silent, these policies and procedures shall apply.

## **RELATED DOCUMENTS**

The following is a list of related documents which are mentioned in this Manual, and where these documents are maintained.

| <u>Title or Description</u>                                       | <u>Location</u>           |
|---|---------------------------|
| Current Health Insurance Benefits<br>(Booklet and Information)    | Purchasing Agent's Office |
| Workers Compensation Records                                      | Finance Office            |
| Dental Insurance Plan   | Purchasing Agent's Office |
| Life Insurance Plan   | Purchasing Agent's Office |
| Credit Union Information  | Purchasing Agent's Office |
| Deferred Compensation Program                                     | Purchasing Agent's Office |
| Kentucky Revised Statutes   | City Clerk's Office       |
| Pension Plans   | Purchasing Agent's Office |
| Labor Agreements  | City Clerk's Office       |
| Personnel and Pay Classification Plan                             | City Clerk's Office       |
| General Personnel Records (Centralized)                           | CAO/ City Clerk's Office  |
| Code Book of Ordinances   | City Clerk's Office       |
| Supplemental Personnel Records - Police Personnel                 | Office of Chief of Police |
| Supplemental Personnel Records - Fire Personnel                   | Office of Fire Chief      |
| Code of Ethics (and Financial Interest<br>Statements as required) | City Clerk's Office       |

## **EQUAL EMPLOYMENT PRACTICE**

The City seeks to provide equal opportunity to all of its employees and applicants for employment and to prohibit discrimination based on race, color, religion, sex, national origin, political affiliation, physical ability, age, pregnancy, childbirth, pregnancy/childbirth related medical conditions, or marital status. The City promotes equal opportunity in matters of hiring, promotion, transfer, compensation, benefits and all other terms, privileges and conditions of employment, compliant with Affirmative Action policies.

## **AMERICANS WITH DISABILITIES PRACTICE**

The City hereby acknowledges and is committed to implementing the provisions of the Americans with Disabilities Act of 1990 (ADA) in accordance with regulations and guidelines as promulgated by the U.S. Department of Justice Civil Rights Division and the U.S. Equal Employment Opportunity Commission.

## **SEVERABILITY**

If any provision of these policies and procedures, or any provisions of their subsequent application, is held invalid, such invalidation shall have no bearing or effect on any other part or section.

## **REPEALER**

Any ordinance, resolution, or rule previously adopted, which may be in conflict with these policies and procedures as revised, is hereby repealed to the extent of such conflict.

## **DISCLAIMER**

These personnel policies and procedures are not a contract and the City may amend and/or supplement the policies and procedures subject to review and approval by the City Legislative Body. Nothing in these policies shall be relied upon or construed as a contract.

## **EMPLOYMENT AT WILL**

The City's employees, other than those protected by statute, labor agreement, or employment contract, are employed for an indefinite length of time, and either the City or the employee may terminate said employment at any time, with or without cause.

## SECTION II

### ADMINISTRATIVE RESPONSIBILITY

#### **PERSONNEL ADMINISTRATOR**

The policies and procedures set forth in the Personnel Policies and Procedures Manual shall be administered by the City Administrative Officer who shall serve as the Personnel Administrator.

The duties of the Personnel Administrator are as follows:

1. Administer the provisions of these policies and procedures and all rules and regulations; and,
2. Maintain current records of all employees, including position title, pay rate, and other relevant employee data.

The City Administrative Officer may delegate any such duties and functions for the appropriate and efficient administration of these policies and procedures.

#### **CHANGES IN PERSONNEL POLICIES**

It shall be the duty of the Personnel Administrator to ensure that all amendments or additions to this manual are reflected promptly in the Personnel Policies and Procedures Manual. Changes in these policies shall be made in the following manner:

1. A list of all City personnel having a copy of the Personnel Policies and Procedures Manual shall be maintained.
2. Immediately upon official modification of a personnel policy or procedure, the change shall be written in a manner and format consistent with this manual.
3. The effective date of each change shall be noted in the lower right-hand corner of each replacement page or addition.
4. As the Personnel Administrator deems necessary, an explanatory memorandum shall be distributed to all City personnel. The memorandum shall explain to all personnel which pages of the original manual should be removed and replaced by amendments, or where new additional policies and procedures should be placed.

#### **PERSONNEL RECORDS**

The City Administrative Officer, serving as Personnel Administrator, shall maintain a personnel file for each employee of the City. The file may contain the following:

1. Employee's name and permanent address;
2. Position title;
3. Job application form;
4. Departmental assignment;
5. Pre-employment test results;
6. History of employment status;
7. History of wage or salary changes;
8. Evaluation forms (if applicable);
9. Insurance forms;
10. Medical forms, reports or related documents covered under Federal HIPAA Laws shall be maintained in separate files.

11. Tax withholding form;
12. Written reprimands, while in effect;
13. The general orientation checklist for employees hired after July 1, 1991. For further information, please see Section IV, Orientation and Training, page 4.1; and,
14. Any other additional information and documentation required by these policies or other governing laws.

All changes in the status of an employee shall be recorded in his/her personnel file.

These personnel files will be maintained in a place where only the City Administrative Officer, or employees designated by him/her, have access to the files.

Supplemental personnel files shall be maintained for all sworn police and fire personnel in the Chief of the Police Department's or Chief of the Fire Department's Office containing additional information such as training records, certifications, discipline and similar material.

The contents of employee personnel files shall be the property of the City. Information in the files shall be held in strictest confidence and shall be released to persons outside of City government in accordance with the provisions of the State, Federal and Kentucky Open Records Laws.

An employee may inspect his personnel file at any time during the usual hours of operation of the Administrative Department. Employees may not remove any material from the file, but may request a copy. Copies shall be provided by the City Administrative Officer or designee.

## SECTION III

### PLACEMENT PROCEDURE

#### CLASSES OF PERSONNEL

1. All personnel of the City shall be classified as full-time, part-time, temporary or seasonal, or assigned. The definitions of these classes are as follows:

##### FULL-TIME EMPLOYEE

An individual who fills an established position and works thirty seven and one-half (37 ½) or more hours per week on a regularly scheduled basis, except firefighters who work fifty-six (56) hours per week.

##### PERMANENT PART-TIME EMPLOYEE

An individual who fills an established position and works less than thirty seven and one-half (37 ½) hours per week on a regularly scheduled basis.

##### TEMPORARY OR SEASONAL EMPLOYEE

An individual who works in a position which is of a temporary nature; a temporary or seasonal employee can be either full-time or part-time.

##### ASSIGNED EMPLOYEE

An individual assigned to the City from another public agency.

2. Full-time employees shall be entitled to all benefits as provided by the City and by their respective working agreements.
3. Permanent Part-time employees may be entitled to vacation, sick, and holiday allowances in proportion to time worked at the discretion of the City Administrative Officer. They shall not be entitled to any other benefits unless specified by the City Administrative Officer.
4. Temporary Part Time, seasonal, and assigned employees shall not be entitled to any benefits unless specified by the City Administrative Officer.

#### EMPLOYMENT PROCESS

The procedures for filling vacancies in permanent positions or newly-established permanent positions shall consist of accepted professional practices, including but not limited to announcement, application, certification of eligibility, and appointment.

##### A. Announcement of Position

1. Announcement of a position shall include such information as: where to apply, deadlines for application, salary range, summary of duties of the position, and the position qualifications suggested. All written announcements of a position shall indicate that the City is an Equal Opportunity Employer. Where appropriate, for testing purposes, reasonable accommodation will be afforded in conformity with the Americans with Disabilities Act.
2. Announcements for positions may be made publicly in newspapers of general circulation, within the City service, and other sources as dictated by the recruiting strategy and needs of the City.

B. Application for Position

1. All persons applying for a position shall complete a standard application form provided by the City which shall be signed by the applicant. The Personnel Administrator may require resumes to be submitted as part of the application process. Application forms or resumes completed by applicants for positions shall include the following:
  - a. Information about the applicant's education, training, and experience, and,
  - b. Such additional information as required to effectively evaluate the applicant's ability to perform the duties required by the position.
2. No person may be considered for, or appointed to, a position unless verified information or an official form and/or submitted resume indicates that the person meets the qualifications for the position as set forth in the class specification.

C. Certification of Eligibility (Administration & General Services)

1. The qualification of an applicant for a position shall be based on one or more of the following:
  - a. Information the applicant supplied on a prescribed application form;
  - b. Information supplied by the applicant on a personal resume;
  - c. Written, or performance examinations, or any combination which may be required by the City;
  - d. Personal interview;
  - e. Information and evaluations supplied by references given by the applicant on the application form; and
  - f. Other appropriate means.
2. Each application shall be reviewed to ascertain the applicant's qualifications for the position.
3. The City Administrative Officer shall determine which positions require a physical examination by a City-designated physician.
4. Before appointment, an applicant's driving record shall be reviewed, for all positions requiring a valid drivers license.

D. Certification of Eligibility (Police and Fire Positions)

1. The Board of Council has endorsed the practice of selection by examination for both appointment and promotion within the City's Police and Fire Departments. Using examinations for selection is a fair, objective approach which insures uniformity and consistency of procedure.
2. The City Administration is assigned the responsibility of administering written examinations for selection of police officers and firefighters for appointment and promotion.

**PROMOTION**

A. Administration and General Services

1. An employee may be promoted from one position to another within the City service only if that employee has the qualifications for the higher position.
2. When a vacancy occurs within the City work force, preference for promotion may be given to present employees. All employees will be notified of the vacancy including position title, salary range, summary of duties, position qualifications, and deadline for applying. An employee may apply for the position by submitting written notification to the City Administrative Officer.

3. If, however, the City Administrative Officer deems that the best source is outside the city service, the position may be filled by appointment of a person outside the service.
4. Upon promotion from within the City work force, an employee shall begin a new probationary period in the position to which the employee has been promoted.

B. Police and Firefighters

Promotions within the Police and Fire Departments shall be governed by applicable sections of the Kentucky Revised Statutes, and of their respective work agreements.

**TRANSFER**

An employee may request a transfer from one position to a comparable position by making a request through his/her Department Head to the City Administrative Officer, provided the position sought is one for which the employee is qualified, and provided that the position applied for is vacant.

**EMPLOYMENT OF RELATIVES**

The City does regulate the employment of relatives within the City service. Employees should refer to the City's Code of Ethics for additional information and guidance regarding the employment of relatives.

## SECTION IV

### ORIENTATION AND TRAINING

#### ORIENTATION

Upon the commencement of employment, the Department Head shall discuss with each new employee the City's personnel policies and procedures, his/her duties and responsibilities, the purpose of his/her job, and the relationship of his/her job to the department as a whole.

Each new employee shall be directed to the Payroll Clerk in order to complete all necessary forms and State and Federal withholding tax forms, and to the Purchasing Agent to complete required insurance forms.

It shall be the responsibility of the Department Head and Purchasing Agent to ensure that the new employee is familiar with all job responsibilities, policies and procedures, and benefits thereof, as identified on the Orientation Checklist of this manual (page 4.2). The completed Orientation Checklist shall be placed in the new employee's personnel file.

#### TRAINING

A new employee shall be given formal training by his/her supervisor, or their designee, during the probationary period.

It is the policy of the City to encourage employees of the City to expand their knowledge and improve their understanding of their jobs by keeping abreast of the latest methods and practices.

To accomplish this purpose, the City may pay dues for membership in professional or service-connected organizations on recommendation of the City Administrative Officer or Department Head. Likewise, attendance at conferences, seminars, workshops, etc., with expenses paid by the City may be authorized. These expenses should be included in departmental budget requests and require prior approval of the City Administrative Officer or the Department Head in advance of the scheduled training or continuing education.

Another method of employee training is participation of the employee in the City's Tuition Reimbursement Program. For further details see the Education Reimbursement Policy (see Table of Contents).



# CITY OF FORT THOMAS NEW EMPLOYEE ORIENTATION CHECKLIST

**Employee Name:** \_\_\_\_\_ **Social Security Number:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Employment Date:** \_\_\_\_\_ **Department:** \_\_\_\_\_

**Position:** \_\_\_\_\_ **Starting Salary/Hourly:** \$ \_\_\_\_\_

**Date of Birth:** \_\_\_\_\_ **Phone Number:** \_\_\_\_\_

**The Department Head and Finance Department Personnel will discuss the following information with a new employee. After each item is discussed or completed, place a check mark in the designated space to signify the new employees understanding of the item.**

## FINANCE DEPARTMENT

- Federal Form W-4, Employee's Withholding Allowance Certificate
- Kentucky Form K-4, Employee's Withholding Exemption Certificate
- Health Insurance Application
- Dental Insurance Application
- Life Insurance Application
- Form 1, Membership Information, Kentucky Retirement Systems
- Form 35, Beneficiary Designation, Kentucky Retirement Systems
- Form HP-2 Certification of Hazardous Duty Coverage
- KEMBA Credit Union Packet
- Worker's Compensation Insurance
- Kentucky Public Employees Deferred Compensation
- First Notice of Cobra
- Form I-9, Employment Eligibility Verification
- Gas / Long Distance Authorization Code

## DEPARTMENT HEAD

- Job Duties and Responsibilities
- Annual Vacation, Holiday and Sick Leave Policy
- Bereavement Leave
- Family and Medical Leave
- Military Leave Policy
- Overtime and Compensatory Time Policy
- Annual Performance Appraisal
- Board of Inquiry
- Education Reimbursement Policy
- Vehicle Policy
- Travel and Mileage Reimbursement Policy
- Copy of Working Agreement, if Applicable
- Copy of Personnel Policies and Procedures Manual

|                           |  |              |  |
|---------------------------|--|--------------|--|
| <b>Department Head:</b>   |  | <b>Date:</b> |  |
| <b>Finance Personnel:</b> |  | <b>Date:</b> |  |
| <b>Employee:</b>          |  | <b>Date:</b> |  |

## **SECTION V** **CLASSIFICATION PLAN**

The City maintains a Personnel and Pay Classification Plan which provides a systematic arrangement and inventory of the positions in city government. The Plan sets forth the powers, range of duties, responsibilities, level of work performed, and compensation ranges for each of the established non-elected City offices.

This plan includes the following:

**A. Assignment to a Class**

1. Each position shall, on the basis of the duties and responsibilities of the position, be allocated to an appropriate class.
2. A class may include either a single position or two or more positions.

**B. Elements of a Class**

Each class shall have a specification that includes:

1. Descriptive title;
2. A description of the duties and responsibilities, including the essential job functions; and,
3. Minimum position qualifications including training, experience, special knowledge, skills, and abilities.

**3. Uniformity of Positions Within a Class**

Jobs are grouped under a single title when:

- a. The same title can describe them;
- b. The general description of the duties is the same;
- c. The same selection standards and processes can fill them; and
- d. The same salary range can be applied to them with equity.

**4. Review and Evaluation**

The City Administrative Officer may annually review the Personnel and Pay Classification Plan. If necessary he shall recommend to the Board of Council:

- a. Reclassification of positions.
- b. Creation of one or more new classes.
- c. Abolition of one or more existing classes.

## SECTION VI

### COMPENSATION

#### PAY PLAN

##### A. Ranges

The pay plan maintained by the City under the Personnel and Pay Classification Plan prescribes salary ranges for all established positions. A pay code identifies the salary range for each class or position based upon a determination of the minimum and maximum rate of compensation warranted by the position in accordance with the City's pay table.

##### B. Review and Evaluation

The City Administrative Officer shall periodically review the Pay Plan utilizing the following criteria:

1. Compare salary rates, compensation policies, and the personnel development of the City with those of other employers, public and private, in the area;
2. Analyze the fluctuations in the cost of living;
3. Examine the salary range for each class of positions in the classified service to decide whether minimum and maximum pay ranges should be raised or lowered for a particular class; and
4. Upon the basis of comparison and analysis, submit to the Mayor and Council proposed amendments to the Pay Plan.

##### C. Reclassification of Personnel in Relation to the Pay Plan

1. If an employee is reclassified from one class to another of a comparable pay range, there shall be no change in salary or wages.
2. If an employee is reclassified from one class to a higher class, he shall enter that higher class at its minimum salary, unless the minimum is lower than, or the same as, that person's pay at the time of the reclassification.
  - a. If the employee's present pay exceeds the minimum in the new class, he shall continue to receive it until such a time as it is changed in accordance with these rules.
  - b. If the employee's present pay is the same as the minimum, the City Administrative Officer shall determine, on the basis of these policies, what pay the employee shall have in the reclassified position.
3. If an employee is reclassified from one class to a lower class, the following shall occur:
  - a. If the employee's pay at the time the reclassification takes place does not exceed the maximum pay for the position of the lower class, then he shall retain the same pay; and
  - b. If the employee's pay at the time the reclassification takes place exceeds the maximum pay for the position of the lower class, then he shall receive only the maximum pay.

## **PAY RATES**

### **A. Pay Rate Upon Entry**

Initial appointment of employees shall include a compensation level within the established pay table for the position. When circumstances warrant, such as when the applicant exceeds the minimum qualifications for the position, a beginning compensation rate above the minimum may be offered at the discretion of the City Administrative Officer.

### **B. Pay Rates Following Promotion**

An employee who has been promoted shall be eligible to begin work in the higher class at the minimum rate of the new pay range, or at any step above the minimum of the new pay range as determined by the City Administrative Officer.

### **C. Pay Rates Following Demotion**

The pay of an employee who has been demoted shall be decreased to the minimum of the lower pay range, or to the same relative status in the lower pay range as the employee held in the higher range, or to the same status the employee last held in the lower class. Final determination of the pay rate shall be made by the City Administrative Officer.

### **D. Pay Rates Upon Transfer**

A transfer from one position to another position assigned to the same class or class having the same salary range shall not result in a change in the employee's salary.

## **OTHER COMPENSATION**

Employees who are covered by a labor agreement with the City may be entitled to additional compensation, to that provided for in the pay plan as outlined in their respective labor agreements.

## **WORK HOURS**

- A.** Full-time non-union employees shall work at least thirty seven and one half (37 1/2) hours per week unless otherwise designated herein. All employees shall work according to a schedule of hours recommended in writing by the Department Head and approved by the City Administrative Officer. Any amendments to schedules must be submitted, in writing, by the Department Head and approved in advance by the City Administrative Officer. The normal working hours for employees of the Administrative Department are 8:00 A.M.-4:30 P.M.
- B.** Flexible work schedules may be utilized upon approval of the Department Head and City Administrative Officer.
- C.** All Administrative employees shall maintain daily time cards that indicate specific hours worked and/or authorized time off. Work schedules in Police, Fire and General Services Department employees covered by AFSCME contract shall be as designated in their respective labor agreements or other departmental policy.
- D.** Department Heads shall be responsible to maintain Department policy that provides for all employees reporting of specific hours worked, time off and other pertinent pay information. Department Heads shall review this information, approve with signature, and submit to Payroll Clerk at the end of each pay period.

## **OVERTIME**

### **A. Policy**

It is the City's policy that overtime shall be kept at the minimum consistent with maintenance of essential City services and budgetary considerations.

### **B. Approval**

Overtime work shall be approved in advance, in writing, by the Department Head whenever possible.

### **C. Eligibility**

In order to determine whether an employee will receive overtime pay, the City Administrative Officer shall declare employees "exempt" or "non-exempt" according to provisions of existing labor laws.

1. Non-exempt employees shall receive overtime in accordance with Federal and State regulations. Overtime is defined as those hours exceeding thirty-seven and one half (37 1/2) hours actually worked in a normal or standard work week. In accordance with said laws, payment for overtime hours shall be computed as one and one-half (1 1/2) the employee's regular hourly rate.
2. Exempt employees shall not be eligible for payment of overtime hours and shall receive compensatory time off. Exempt employees include Department Heads and other salaried personnel who qualify as administrative, professional, or supervisory employees using criteria under existing labor laws.
  - a. Compensatory time shall be granted at the rate of one and one half hours (1 1/2) for each hour worked in excess of thirty-seven and one half (37 1/2) hours per week.
  - b. An employee's use of accrued compensatory time must be approved in advance by the Department Head or City Administrative Officer.
  - c. A maximum of 300 hours of compensatory time may be accrued in any one year.
  - d. Ten (10) hours of compensatory time may be carried past June 30th of each year, to a maximum of 120 hours of accrued compensatory time..
  - e. Employees shall be paid for accrued and unused compensatory time upon separation from City service, at the employee's current rate of pay, up to a maximum of 120 hours.

## SECTION VII

### CONDITIONS OF EMPLOYMENT

#### **PROBATION**

##### **A. Administration and General Services Non-Contract Employees**

1. All appointments to positions in City government are subject to satisfactory completion of a probationary period of twelve (12) months.
2. Any employee who has served an initial probationary period and is promoted from within the City service to a new position shall be subject to a new six (6) month probationary period.
3. At any time during the probationary period of a new employee, the employee may be dismissed upon the recommendation of his Department Head and the City Administrative Officer and approval by the Mayor. There is no right of appeal from termination of a new employee during the probationary period.
4. While on probation, an employee who has already served an initial probationary period in a former position, who has been promoted to another position, may be removed from his new position upon the recommendation of his Department Head and approval of the City Administrative Officer and reinstated to the position from which he was promoted or to a position comparable to that one from which he was promoted, without the right of appeal.
5. A Department Head may evaluate a probationary employee at any time during the probationary period to provide feedback on job performance. Written feedback on performance issues should be provided, when appropriate, to ensure that probationary employees are informed regarding performance levels and provided an opportunity to make adjustments.
6. Upon completion of the twelve (12) month probationary period, the employee's performance shall again be evaluated, and if his performance meets the expectations of the City, the employee shall receive regular full-time/part-time status, as applicable. The employee may receive up to \$1.00 per hour, additionally, upon completion of this probationary period, at the discretion of the Department Head and City Administrative Officer.

##### **B. Police and Firefighters**

1. A person initially appointed to a position in the Police or Fire Departments shall maintain a probationary status for a twelve (12) month period in accordance with their respective labor agreement and the Kentucky Revised Statutes.

## **DEMOTION**

### **A. Administration and General Services Non-Contract Employees**

1. The City Administrative Officer, with the approval of the Mayor, may demote an employee, provided that he possesses the minimum qualifications for the position to which he is demoted, for the following reasons:
  - a. For his inability to carry out his duties according to the standards prescribed for the position by the personnel ordinance.
  - b. For disciplinary reasons; or
  - c. With the consent of the employee, to a vacant position in lieu of layoff.
2. Written notice shall be given to the employee before a demotion becomes effective. A copy shall be kept in his personnel file.

### **B. Police and Firefighters and General Services Employees covered under AFSCME**

Members of the Police, Fire, and General Services Departments, may be demoted only after following the procedures outlined their respective Labor Agreements, Kentucky Revised Statutes and applicable city ordinances

## **SUSPENSION**

### **A. Administration and General Services Non-Contract Employees**

1. The City Administrative Officer may suspend any city employee with or without pay for the following reasons:
  - a. Disciplinary reasons; or
  - b. Pending investigation of charges against that individual involving misconduct.
2. The City Administrative Officer may suspend an employee from a position at any time, with or without pay. Any suspended employee shall receive written notice of the suspension. The notice shall state:
  - a. The reasons for the suspension; and,
  - b. The duration of the suspension.

### **B. Police and Firefighters and General Services Employees covered under AFSCME**

Members of the Police, Fire and General Services Departments may be suspended only after following the procedures outlined in their respective Labor Agreements, Kentucky Revised Statutes and applicable city ordinances.

## **DISMISSAL**

### **A. Police and Firefighters and General Services Employees covered under AFSCME**

Members of the Police, Fire and General Services Departments may be dismissed only after following the procedures outlined in their respective Labor Agreements, Kentucky Revised Statutes and applicable city ordinances.

## **RESIGNATION**

- A. In order to resign in good standing, an employee shall give his Department Head or the City Administrative Officer a written notice of resignation at least two weeks prior to its effective date. However, the City Administrative Officer may agree to a shorter notice in extenuating circumstances.
- B. A resignation made without the notice required by these rules may be regarded as cause for denying the resigning employee future employment with the City.
- C. An employee's resignation and its attending reasons shall be recorded in the employee's personnel file.
- D. A resigned employee shall return all City property to his Department Head prior to the effective date of his resignation.
- E. Upon an employee's resignation, an exit interview may be conducted between the employee and his Department Head and/or the City Administrative Officer. By conducting an exit interview the City should determine the employee's reason for severing employment and discover any misunderstanding the employee may have had regarding his job and any grievances the employee may have regarding departmental conditions, so that corrective action may be taken.

## **RETIREMENT**

- A. The City is a participant of the County Employment Retirement System (CERS) and is subject to the rules and regulations promulgated by that agency. Administrative and General Services personnel are participants through the non-hazardous plan while Police and Fire personnel are participants through the hazardous duty plan.
  1. The City does not have a mandatory retirement age for employees. However, the City may require any employee to submit to a physical or mental examination by a medical doctor or psychologist to insure competency to complete assigned duties and responsibilities. The City shall pay the cost for any examinations administered.
  2. Upon retirement an employee shall receive a lump sum payment for any unused vacation, personal, and holiday time earned up to the day of separation.
  3. Upon retirement an eligible employee shall receive a lump sum payment for unused sick leave that has been computed into terminal leave. For details see Terminal Sick Leave elsewhere in this manual (p. 12.4).
- B. Upon an employee's retirement, an exit interview may be conducted between the employee and his Department Head and/or the City Administrative Officer. By conducting an exit interview the City should determine the employee's reason for severing employment and discover any misunderstanding the employee may have had regarding his job and any grievances the employee may have regarding departmental conditions, so that corrective action may be taken.

## **LAYOFF**

### **A. Administration and General Services Non Contract Employees**

The City Administrative Officer, with the approval of the Mayor, may lay off an employee or employees after due consideration because of lack of work or funds. The order of layoffs shall be determined by the City Administrative Officer on the basis of needs of the City and procedures outlined within applicable labor agreements.

### **B. General Services Employees covered under AFSCME**

Layoffs in the General Services Department shall follow the procedure outlined in their labor agreement.

### **C. Police and Firefighters**

Layoffs in the Police and Fire Departments shall follow the procedure outlined in their respective labor agreements and Kentucky Revised Statutes.

## **REINSTATEMENT**

### **A. The Mayor may reinstate any former employee:**

1. Who has resigned from that service with a satisfactory employment record; or
2. Who has been laid off because of lack of work or funds.

### **B. The Mayor may reinstate any employee who has been demoted, suspended or dismissed for a reason prohibited by local, state, or federal employment rules and regulation. The reinstated employee shall receive at least the rate of pay which was received prior to the termination or suspension.**

### **C. The Mayor may reinstate into the former position any employee who fails during his probationary period to serve satisfactorily in a position to which he has been promoted. The reinstated employee shall receive at least the rate of pay which was received just prior to the time of promotion.**

### **D. Reinstatement of an employee shall:**

1. Restore him to the former position at the former salary; or
2. Place him in a position of the same class or a class comparable to that of his former position at the former salary.

## **REFERENCE POLICY**

### **A. When employment information is requested for a present or former City employee, the following information shall be provided:**

1. Job title and department;
2. Years of service with the City; and
3. Current or final rate of pay.

## **SECTION VIII**

### **DEPARTMENTAL REVIEW AND EVALUATION**

The City will perform an annual departmental review for each department. This review will be conducted by the City Administrative Officer and will include the respective department head and any other department member requested to attend by the City Administrative Officer.

The evaluation should provide for:

1. Feedback to department head regarding their overall management of the department.
2. A forum for communicating and understanding of their department needs, work objectives and standards for acceptable performance.
3. An opportunity to discuss and evaluate all department personnel and determine need for additional assessment or documented review.
4. Provide department heads with feedback as to how they may assist subordinates with work tasks and personal growth and development.
5. To jointly discuss and establish goals and objectives for future performance.
6. To maintain and document an objective and systematic review of department personnel, policy and procedures.

The evaluation should be comprehensive to include review of the department head performance, personnel performance, needs and overall goals for the department, budget needs, anticipated personnel changes affecting the department, department policy, and other items related to performance of individuals and the department overall.

A record of the overall points of discussion should be established and maintained, including developed goals and objectives.

## SECTION IX

### RULES OF EMPLOYEE CONDUCT

#### **GENERAL POLICIES**

1. The purpose of these rules of employee conduct is to protect the rights of all employees and to ensure compliance with City policies. Committing any of the following violations is sufficient grounds for disciplinary action.
2. This list is not intended to cover every possible type of offense. The City reserves the right and will exercise the right to take appropriate action for conduct not specifically outlined in this policy.
3. The City reserves the right to prescribe and modify reasonable standards of conduct for its employees and reserves the right to change the policies at any time.
4. The disciplinary action taken against an employee for any offense will depend on the gravity of the offense, the employee's past disciplinary record, the position of the employee, and any extenuating or mitigating circumstances.
5. Additional regulations governing an employee's conduct are contained within the City's Code of Ethics which is applicable to all City employees.

#### **GROUND FOR DISCIPLINARY ACTION**

The following actions and conducts are grounds for disciplinary action, including but not limited to:

- A. Dishonesty or falsification of records;
- B. Unauthorized use or abuse of City equipment or property, including records and information;
- C. Theft or destruction of City equipment or property, including records and information;
- D. Habitual tardiness, unauthorized or excessive absence, or abuse of sick leave;
- E. Disregard or repeated violations of safety rules and regulations;
- F. Loss and/or suspension of vehicle operator's license for employees whose job requires maintenance of valid operator's license;
- G. Off-duty misconduct that renders the employee ineffective or unable to perform his job satisfactorily or that causes publicity that is harmful to the City's public image;
- H. Insubordination or refusal to comply with pertinent laws and regulations;
- I. Work stoppages such as strikes or slowdowns;
- J. Use of official position or authority for personal or political profit or advantage;
- K. Acceptance of a kickback from any citizen, contractor, supplier, or other entity;
- L. Absence from premises or assigned work area without supervisor's approval;
- M. Unsatisfactory job performance;
- N. Excessive use of telephone for personal phone calls while on duty;
- O. Excessive use of the internet, electronic access overuse;
- P. Personal appearance or manner of dress unbefitting to the position;
- Q. Violation of Federal, State or City laws;
- R. Harassment; and
- S. Violations of smoking policy.

## **PRINCIPLES OF BEHAVIOR**

### **A. Political Activity**

An employee, while in the service of the City shall not:

1. Be required to contribute to any political fund;
2. Display badges, buttons, or signs while on duty in support of a candidate for elective office; or
3. Display on City property signs, stickers, or posters expressing support of a candidate for elective office.

### **B. Absenteeism**

1. Whenever an employee will be absent from work he should notify his supervisor as soon as possible.
2. Any employee who is absent from work for three (3) consecutive days without notifying his supervisor of the reason for the absence will be considered to have abandoned the job and may be dismissed. However, Department Heads may grant retroactive leave of absence when extenuating circumstances are found to have existed.

### **C. Conflict of Interest**

Employees shall not have direct or indirect financial interests that conflict or appear to conflict with their duties and responsibilities as employees of the City. Employees shall notify the City Administrative Officer of a direct or indirect conflict, or appearance of same, before or at the time of issue.

### **D. Outside Employment**

1. Employees shall not engage in any outside employment that might result in a conflict or apparent conflict with their official duties. This includes any employment with any company or service organization which works for or at the request of the City.
2. No employee shall work or engage in employment the nature of which would adversely reflect upon the City.
3. No outside employment shall be engaged in to such extent, either by the nature of the work or by the number of hours worked, so as to adversely affect the performance of the employee during his normal scheduled work day with the City.
4. Every employee of the City is subject to call in any emergency declared in accordance with City ordinances and State statutes and shall be required to report to work whenever such emergency is declared. Outside employment shall not be an excuse for failing to report for work as directed under this section.
5. Any employee who engages in outside employment should notify the Department Head in writing of the nature and extent of this outside employment activity.
6. Department Head shall acknowledge in writing the scope/detail of outside employment and place copy of approval or basis for denial into personnel file.

7. City employment shall remain the first priority and if at any time the outside employment interferes with an employee's job requirements or performance for the City, the employee shall be required to modify the conditions of the outside employment or terminate either the off-duty employment of his/her City employment.

E. Misuse of Confidential Information

No employee of the City shall intentionally use or disclose information acquired in the course of his/her official duties, if the primary purpose of the use or disclosure is to further his/her personal financial interest of that or another person or business. Information shall be deemed confidential if it is not subject to disclosure pursuant to the Kentucky Open Records Act, KRS 61.872 to 61.884, at the time of its use or disclosure.

F. Post Employment Restrictions

No employee of the City shall appear or practice before the City or any City agency with respect to any matter on which the employee personally worked while in the service of the City for a period of one (1) year after the termination of the employee's service with the City.

G. Conflicts of Interest in Contracts

Conflicts of interest in contracts shall be governed by KRS 61.252.

H. Receipt of Gifts

No employee of the City shall directly, or indirectly through any other person or business, solicit or accept any gift having a fair market value of more than two hundred fifty dollars (\$250) within any calendar year, whether in the form of money, services, loan, travel, entertainment, hospitality, promise or any other form, under circumstances in which it could reasonably be expected to influence the employee in the performance of his/her public duties.

I. Use of City Property, Equipment or Personnel

No employee shall receive city property unless purchased through a public bidding process, excepting assigned personal-use equipment retained by employee upon separation.

No employee of the City shall use or permit the use of any City time, personnel, equipment, or other personal or real property for the private use of that employee, unless:

1. The use is specifically authorized by a stated City policy.
2. The use is available to the general public, and then only to the extent and upon the terms that such use is available to the general public.

J. Representation of Interests before City Government

As a general rule, no employee of the City shall represent any person or business, other than the City, in connection with any cause, proceeding, application or other matter pending before the City or any City agency.

As a stated exception, nothing in this section shall prohibit an employee from representing another employee or employees where the representation is within the context of official labor union or similar representational responsibilities. And, as a stated exception, nothing in this section shall prohibit any employee from representing himself/herself in matters concerning his/her own interests.

K. Honoraria

No employee of the City shall knowingly accept any compensation, honorarium or gift with a fair market value greater than two hundred fifty dollars (\$250) in consideration of an appearance, speech or article unless the appearance, speech or article is both related to the employee's activities outside of municipal service and is unrelated to the employee's service with the City.

Nothing in this section shall prohibit an employee from receiving and retaining from the City, or on behalf of the City, actual and reasonable out-of-pocket expenses incurred by the employee in connection with an appearance, speech or article, provided that the employee can show by clear and convincing evidence that the expenses were incurred or received on behalf of the City and primarily for the benefit of the City and not primarily for the benefit of the employee or any other person.

**HARASSMENT IN THE WORKPLACE**

1. It is the policy of the City that all employees have the right to work in an environment free of all forms of harassment. Therefore, the City shall take direct and immediate action to prevent such behavior and to remedy all reported instances of harassment, sexual or otherwise.

2. Any conduct that is intimidating or hostile and interferes with an employee's work performance is prohibited and will not be tolerated. This includes harassment because of an individual's race, religion, color, national origin, sex, sexual orientation, gender identity or expression, pregnancy, childbirth, pregnancy/child birth related medical conditions, genetic makeup, age, disability, veteran or family status, or because the employee is a smoker or nonsmoker.

3. The City does not tolerate sexual harassment.

4. Any employee who believes he/she has been the subject of harassment by another employee should report the alleged problem to his/her immediate supervisor, his/her Department Head or the City Administrative Officer. An investigation of all complaints will be undertaken immediately and confidentially. All such allegations shall be reviewed by the City Administrative Officer. Any employee found to have harassed another employee will be subject to disciplinary action, up to and including termination. The City will not authorize or permit any form of retaliation against any employee who has made a good faith claim of harassment.

5. The City's managerial and supervisory employees are not permitted to date or become romantically involved with, and/or engage in similar conduct, attempted or otherwise, with any City employee with whom they have a supervisory relationship. Such prohibited conduct may result in disciplinary action, up to and including discharge from employment with the City.

## SECTION X

### DISCIPLINARY PROCESS FOR ADMINISTRATIVE PERSONNEL

The disciplinary process for employees in the Police, Fire and General Services (Covered under AFSCME) Departments shall be as outlined in the respective labor agreements.

In other departments, the Department Head may initiate a disciplinary process against an employee with the following steps:

A. Written Warning

1. A written notice shall be given to the employee stating the following:
  - a. The unsatisfactory performance or violation of conduct;
  - b. The time and place it occurred (if applicable);
  - c. Any witnesses;
  - d. Directions to modify behavior;
  - e. Time limit in which change is expected to occur; and
  - f. Clear warning that a subsequent violation or lack of performance improvement may require dismissal.
2. The employee shall be requested to sign the warning and he may include remarks in writing in response to the warning. By signing the form, the employee acknowledges having seen the written record of the action taken. The employee does not thereby admit guilt or agreement with the action taken.
3. A copy shall be included in the employee's personnel file for a period of up to one year.

B. Suspension or Dismissal

If the employee's behavior does not conform to the directions in the written warning, the Mayor may initiate a suspension, with or without pay, for a period not to exceed ninety (90) days, or with the approval of the appointing authority (Mayor) may dismiss the employee.

C. Nothing in this section shall prohibit the Mayor from immediately suspending any personnel if, in his judgment, the facts and circumstances warrant immediate suspension.

### **BOARD OF INQUIRY**

A Board of Inquiry has been established for the purpose of investigating vehicular accidents or damage to other equipment or property resulting from intentional, negligent or reckless action involving City employees using City vehicles or equipment. Any accident should be reported immediately to the Department Head (attaching a Police Report or Incident Report) and subsequently, a determination will be made by the Assistant to the City Administrative Officer (CAO) as to whether or not the accident qualifies for review under the Board of Inquiry criteria.

A. Purpose

1. The purpose of this Board is to ascertain the cause and circumstances of:
  - a. Any vehicle accident in which a City employee has been involved while operating a City vehicle; or
  - b. Any incident whereby damage or misuse of City-owned equipment or property results due to an employee's intent, negligence or recklessness
2. The Board will convene within 30 days, or within a reasonable and convenient time for all parties involved, after the reporting of such an accident or incident.

3. An occurrence as described in Section A.1 will be deemed reviewable when:
  - a. There is any bodily injury; or
  - b. There is property damage exceeding \$2,500; or,
  - c. There appears to be intent, negligence or recklessness on the part of the employee, resulting in damage or injury.
4. All incidents or accidents, such as those described in Section A.1, must be reported by the Department Head, by email or in writing, to the Assistant to the CAO within three (3) working days after the occurrence. It will be the responsibility of each respective Department Head to report any and all occurrences, with the decision to review being made by the Assistant to the CAO.
5. After such accident or incident is reported, the Assistant to the CAO will immediately create a file to centralize all pertinent information.

B. Selection of Board Members

1. The will be three (3) members on the Board, none of whom may be directly involved in the accident/ incident being reviewed. The makeup of the Board will be as follows:
  - a. The Assistant to the City Administrative Officer
  - b. City Fleet Manager or Mechanic (or other Dept. Head, chosen by CAO, if necessary)
  - c. Employee from an uninvolved department, appointed by City Administrative Officer
  - d. The Department Head of the employee in question may attend the proceedings as an observer only, as stated in Section C., 1., c.

C. Collection of Information / Recommendation of Action

1. To determine the cause of the accident/incident, the Board may obtain all pertinent information, including, but not limited to, the following sources:
  - a. Spoken testimony from witnesses, participants or experts;
  - b. Written reports, photos or drawings; and,
  - c. Input from employee's Department Head.
2. After the Board has collected all relevant information as described under Section C.1, the proceedings will be discussed and the Board will have three (3) working days to render a decision.
3. After the Board has reached a conclusion as to the cause and circumstances of the accident/incident, a written report will be delivered to the City Administrative Officer. This report will be made within five (5) working days of the Board's decision and will state the findings of the Board as well as any recommendations for punitive or corrective action. This action may include, but is not limited to, one or more of the following:
  - a. Counseling or additional training;
  - b. Written reprimand;
  - c. Suspension;
  - d. Restitution;
  - e. Dismissal;
  - f. Exoneration; or
  - g. Other recommendations, such as a change to City policy or procedures.

## SECTION XI

### GRIEVANCE PROCEDURE

#### **DEFINITION**

A grievance is defined as a complaint or dispute of an individual relating to the application, meaning, or interpretation of these personnel policies and procedures.

#### **STEPS IN A GRIEVANCE PROCEDURE**

##### A. Administration

1. The employee shall present the grievance, in writing, to his supervisor within three (3) working days of knowledge of the occurrence by the employee. The supervisor shall then attempt to settle the matter and shall respond, in writing, to the employee within three (3) working days.
2. If the grievance has not been settled in step 1, it shall be presented in writing by the employee to the Department Head within three (3) working days after the supervisor's response. The Department Head will respond to the employee in writing within three (3) working days. If the Department Head happens to be the employee's immediate supervisor, then step 1 in the grievance procedure should be skipped and the employee should begin with step 2 of the grievance process.
3. If the grievance has not been settled in step 2, it shall be presented in writing by the employee to the City Administrative Officer within three (3) working days after the Department Head's response. The City Administrative Officer will respond to the employee in writing within ten (10) working days.
4. If the grievance remains unresolved, it may then be presented by the employee to the Mayor within ten (10) working days. The Mayor shall review said grievance and render a decision within thirty (30) working days.

##### B. Police, Firefighters, and General Services Employees covered under AFSCME

The steps in a grievance procedure to be followed by members of the Police, Fire, and General Services Departments are as outlined in their respective labor agreements.

## SECTION XII

### BENEFITS AND LEAVES OF ABSENCE

#### **HOLIDAYS**

##### A. Administrative

1. The following holidays shall be granted, with pay, to permanent full-time and part-time employees:

|                      |                             |
|----------------------|-----------------------------|
| New Year's Day       | January 1                   |
| *Martin L. King Day  | Third Monday in January     |
| *President's Day     | Third Monday in February    |
| Memorial Day         | Last Monday in May          |
| Independence Day     | July 4                      |
| Labor Day            | First Monday in September   |
| *Columbus Day        | October 12                  |
| Thanksgiving Day     | Fourth Thursday in November |
| Thanksgiving Holiday | Friday after Thanksgiving   |
| Christmas Eve        | December 24                 |
| Christmas Day        | December 25                 |

2. Employees, who are required to work on any of the above holidays, may have another day off at a time approved by the Department Head.
3. No holiday time may be carried past June 30th of any year except under special circumstances as approved by the City Administrative Officer.
4. When any holiday falls on Saturday, the preceding Friday shall be recognized as the paid holiday. When any holiday falls on a Sunday, the following Monday shall be recognized as the paid holiday. When Christmas Eve falls on a Wednesday, the following Friday shall be recognized as the paid holiday. When Christmas Eve falls on a Sunday, the preceding Friday shall be recognized as the paid holiday.
5. When any holiday occurs during the paid vacation or sick leave of any employee, the employee, in the case of a vacation, shall receive an additional day on his vacation period. In the case of sick leave, the employee shall receive his regular pay for the holiday without being charged sick leave.
6. In order to receive holiday pay, the employee must not be absent without leave on the last scheduled work day preceding the holiday or the next scheduled work day following the holiday.
7. In addition to the above holidays, employees of the Administrative Department shall receive one (1) personal day per year to be taken as approved by the Department Head.

##### B. Police, Firefighters and General Services Employees covered under AFSCME

1. Police, Fire and General Services employees shall be granted holidays pursuant to their respective labor agreements.

\* The city building is open to the public, these days may be taken as "float" days by the employee.

## **VACATION**

### **A. Administrative-General Policies**

1. No vacation time may be carried past June 30th of any year, except under special circumstances as approved by the City Administrative Officer.
2. Each new employee will receive vacation pay on a pro-rated basis during the first fiscal year, or portion thereof; the employee will receive seven (7) hours of vacation time for each complete month of service during the first fiscal year. The maximum earned vacation time during an employee's first fiscal year is seventy-five (75) hours.
3. Vacation shall be taken at the discretion of the employee with the approval of the Department Head. If there is a conflict with the requests, the vacation shall be granted on the basis of seniority. Vacation requests shall be made in writing to the Department Head on a Request for Time Off Form.
4. Compensation in lieu of approved vacation time shall not be granted except upon separation of employment with the City or at retirement.
5. Vacation time shall be used in no less than one half (1/2) hour increments i.e., no one-quarter (1/4) or one-sixth (1/6) hour.
6. The City Administrative Officer shall have the authority to deviate from the vacation schedule as outlined under Section XII of this Manual as a recruitment tool for Department Head level positions. This discretionary recruitment tool may be utilized to encourage lateral movement of highly qualified and experienced candidates from other governmental agencies.

### **B. Schedule of Vacation Time Earned**

1. All full-time employees shall be granted vacation pay on July 1 according to the following schedule: (Part-time employees, if eligible, will receive vacation in proportion to time worked by dividing the part-time individuals' regular scheduled hours by thirty-seven and one-half (37.5):

| <u>Years of Service</u> | <u>Vacation</u>  |
|-------------------------|------------------|
| 1-5                     | 2 weeks          |
| 6                       | 2 weeks & 1 day  |
| 7                       | 2 weeks & 2 days |
| 8                       | 2 weeks & 3 days |
| 9                       | 2 weeks & 4 days |
| 10                      | 3 weeks          |
| 11                      | 3 weeks & 1 day  |
| 12                      | 3 weeks & 2 days |
| 13                      | 3 weeks & 3 days |
| 14                      | 3 weeks & 4 days |
| 15                      | 4 weeks          |
| 16-17                   | 4 weeks & 1 day  |
| 18-19                   | 4 weeks & 2 days |
| 20-21                   | 4 weeks & 3 days |
| 22-23                   | 4 weeks & 4 days |
| 24-25                   | 5 weeks          |
| 26-27                   | 5 weeks & 1 day  |
| 28-29                   | 5 weeks & 2 days |
| 30-31                   | 5 weeks & 3 days |

### **2. Police, Firefighters, and Public Works**

Members of the Police, Fire, and Public Works Departments shall be granted vacation according to the schedules documented in their respective labor agreements.

## **VACATION**

### **C. Donating Vacation Time**

Vacation time may be donated by one full-time Employee (“donor”) to another full-time Employee (“donee”) in strict compliance with the following:

1. The donee shall have been diagnosed with a “Critical Illness”, which is defined as a disease or state in which death is possible or imminent; and where such critical illness precludes donee from working without restriction. Donee shall provide to Employer confirmation of same from the attending physician with an estimated recovery time, if applicable.
2. Donations of vacation time shall be made only after the donee has exhausted all of his/her own paid leave including sick leave, personal leave and vacation leave. In the case of police officers, sick leave bank shall also have been exhausted prior to receiving donated vacation time.
3. A donor may donate the lesser of forty (40) hours of vacation time, or one-half of their remaining vacation time at the time of the donation, in any fiscal year, unless otherwise approved by the City Administrative Officer. Notwithstanding, a firefighter who works a twenty-four (24) hour shift may donate the lesser of forty-eight (48) hours of vacation time, or half of his/her remaining vacation time at the time of the donation, in any fiscal year, to another firefighter who works a twenty-four (24) hour shift.
4. Donation of vacation time shall be in hourly increments.
5. Not all employees are paid the same hourly rate. Using the various rates of pay for the vacation time donated, the city, through its finance department, shall calculate the monetary value of all vacation time donated to the donee. The value of vacation time donated shall be divided by the donee’s hourly rate of pay to determine the number of hours of vacation time available to the donee. The city shall not incur additional cost or expense as a result of the donated vacation time.
6. Vacation time donated to a donee may be made retroactive to the point in time when the donee exhausted all other paid leave.
7. Donated vacation time shall be treated as the donee’s own vacation time by the Employer for the purposes of “pay out” upon separation of employment.
8. Donated vacation time may be carried past June 30 of any year by the donee with the approval of the City Administrative Officer.
9. Donations of vacation time are irrevocable and nontransferable to another Employee.
10. While a donee is utilizing donated vacation time the donee shall be considered fully employed by the Employer with no loss of benefit or seniority.
11. Donations of vacation time shall be requested in writing by each Employee/donor separately to the City Administrative Officer.
12. Donations of vacation time shall be confidential and not disclosed to other employees, with the exception of the Chief Administrative Officer and Finance Director.
13. No one shall threaten, coerce, or intimidate an employee to donate vacation time.
14. Donations of vacation time shall be separate and distinct from the Family and Medical Leave Act.

### **D. Off with Injury – Vacation Carry-Over Policy.**

This policy provides that an employee unable to work due to work-related injury in any period of time between the period of January 1 and June 30 of any fiscal year would be eligible to carry-over leave time on a prorated basis. The amount of eligible carry-over would be calculated based on 66.67% of the employee’s total vacation time issued to him/her on July 1<sup>st</sup> of that fiscal year. The 66.67% rate would be applied only to the time missed during the January 1 to June 30 time period

The Director of Finance will calculate any carry-over time eligible to the employee and extend it into the next fiscal year. Any carry-over time will not be eligible for calculation of carry-over into any subsequent year.

## SICK LEAVE

### A. Administrative - General Policies

1. Sick leave is provided so that an employee's monetary compensation will be continued if he is not able to work due to illness. Sick leave is not the same as vacation leave. Abuse of sick leave may be cause for disciplinary action, including dismissal.
2. All full-time employees of the Administrative Department shall be granted forty-eight (48) hours sick leave annually as of July 1st. Unused sick leave may accumulate to the maximum of fifteen hundred (1500) hours.
3. Part-time employees, if eligible, will be provided sick leave and may accumulate to a maximum in proportion to hours worked by dividing the part-time individual's regular scheduled hours by forty (40).
4. A new employee shall be granted sick leave on a pro-rated basis during the first fiscal year of employment.
5. In the event an employee uses more than the annual allowance for sick leave and has no accumulated sick leave account balance, additional time may be deducted from vacation or holiday allowance, or the employee will not be compensated.
6. Under no circumstances may an employee be permitted or authorized to borrow sick time against future accrual.
7. No payment of sick time will be made for illness or an accident occurring during a leave of absence, vacation, work stoppage, or on a holiday.
8. A written doctor's certificate may be required for any consecutive period of absence of three (3) or more days for members of the Administrative Department.
9. Records of sick leave accumulated over the maximum provided in Subsection A hereof shall be maintained to be used as consideration for possible extension of sick leave beyond the maximum in certain cases. Such extensions may only be granted by the City Administrative Officer.

### B. Unused Sick Leave Bonus

1. Any unused sick leave remaining on the employee's record as of June 30th will be added, along with a matching bonus, to the employee's accumulative total.
2. An employee will not lose a bonus day on the first day of sick leave use.
3. The following is an example of how sick leave and matching bonuses are computed.

| Years | Sick Days Available | Sick Days Taken | Sick Days Unused | Matching Bonus | Accumulative Total |
|-------|---------------------|-----------------|------------------|----------------|--------------------|
| 1     | 6                   | 0               | 6                | 6              | 12                 |
| 2     | 6                   | 1               | 5                | 6              | 23                 |
| 3     | 6                   | 2               | 4                | 5              | 32                 |
| 4     | 6                   | 3               | 3                | 4              | 39                 |
| 5     | 6                   | 4               | 2                | 3              | 44                 |
| 6     | 6                   | 5               | 1                | 2              | 47                 |
| 7     | 6                   | 6               | 0                | 0              | 47                 |
| 8     | 6                   | 7               | 0                | 0              | 46                 |

C. Terminal Leave

1. Any unused sick leave remaining as of June 30 shall be computed into terminal leave.
2. This amount of terminal leave shall be multiplied by the employee's hourly wage and recorded.
3. If an employee uses more than the annual sick leave allowance, his/her cumulative total will be reduced beginning with the previous year and working backward.
4. An employee may collect terminal leave in the following manner:
  - a. Upon resignation or termination, any employee having accumulated sick leave shall receive a lump sum payment for the balance only when the following requirements are fulfilled: The employee has a minimum of five (5) years of service with the City and the employee has retained at least fifty (50) percent of allotted sick leave time.
  - b. Upon retirement, with ten (10) or more years of service, an employee will receive terminal leave pay for any portion of accumulated sick leave time.
  - c. An employee with fifteen (15) or more years of service with the city who has accrued more than 1200 hours of terminal leave may elect to transfer the value of any terminal leave over 1200 hours into the City's 401a Deferred Compensation Match Program as outlined below in Section 6. Requests for transfer into the Deferred Compensation Match Program may be submitted for review, in writing, to the City Administrative Officer not more than once per fiscal year.
5. Sick leave shall be computed into terminal leave for the lump sum payment in the following manner:
  - a. For employees with more than five (5) years and less than ten (10) years of service with the City, sick leave shall be computed into terminal leave at the rate of four (4) hours of accumulated sick leave for each one (1) hour of terminal leave.
  - b. For employees with ten (10) or more years of service with the City, sick leave shall be computed into terminal leave at the rate of two and one-half (2 1/2) hours of accumulated sick leave for each one (1) hour of terminal leave.
  - c. For employees with ten (10) or more years of service upon normal retirement from the City, sick leave shall be computed into terminal leave at the rate of two (2) hours of accumulated sick leave for each one (1) hour of terminal leave.
6. Any employee eligible for terminal sick leave payment may, as an option to receiving a lump sum payment for accrued sick leave, elect to transfer the value of said lump sum payment into the City's 401K and/or 457 Deferred Compensation Program(s). This contribution shall be subject to compliance with all applicable state and federal tax code requirements, including limitations on the amount of compensation that may be deferred annually and therefore not subject to taxation. Such contribution shall be made in a manner prescribed by the Deferred Compensation authority.

## **JURY DUTY**

- A. All full-time employees shall be entitled to leave of absence to comply with subpoenas by a court of law to serve as a juror.
- B. All employees serving on jury duty shall be absent from work only during the time required by the court. When the employee is released from duty as a juror before completion of the regular work day, the employee is required to return to work and complete the work day.
- C. The employee must endorse his base jury pay over to the City, but is entitled to retain that portion of jury pay earmarked for daily expenses.

## **SPECIAL APPOINTMENTS**

- A. All full-time employees shall be entitled to leave of absence to serve by special appointment on any boards, commissions or associations directly related to their job duties.
- B. All employees serving on special appointments shall be absent from work only during the time required by the appointment. When the employee is released from duty before completion of the regular work day, the employee is required to return to work and complete the work day.
- C. The employee must endorse any pay for service over to the City, but is entitled to retain any portion of pay earmarked for daily expenses.

## **SPECIAL LEAVE**

- A. Attendance of employees at conventions, seminars, meetings of a like nature is not considered a leave from duty, but attendance must be authorized by the Department Head or by the City Administrative Officer.
- B. Leaves without pay may be granted at the discretion of the Department Head, subject to approval by the City Administrative Officer.
- C. Requests for leave for personal reasons shall be submitted in writing to the Department Head, stating reason(s) for the request, the date the leave shall begin and the probable date of the employee's return to work.
- D. Any employee entering a leave without pay status shall cease to earn vacation and sick leave for that period of time and shall be responsible for payment of health insurance premiums if coverage is to remain in effect. Accrual of time will cease for the period of leave without pay, and the anniversary date will be adjusted forward an amount of time equivalent to the length of time the employee was in leave without pay status.
- E. The City will not guarantee that an employee returning from a leave without pay will be reinstated to the position that the employee held prior to beginning the leave. The employee must accept the first position for which he/she is qualified, or else employment may be terminated.

## **VOTING LEAVE**

- A. Any employee who is eligible to vote in any election in the Commonwealth of Kentucky will be allowed adequate time off to vote on Election Day pursuant to the requirements as contained in KRS Chapter 118.035.

## **BEREAVEMENT LEAVE**

- A. Administration  
An employee, in the case of death in his/her immediate family, shall be given a maximum of three (3) working days off with pay, by the Department Head. Immediate family includes: spouse, father, mother, sister, brother, child, mother-in-law, or father-in-law.  
The employee shall be given one (1) working day off, with pay, by the Department Head to permit attendance at the funeral of any of the following: grandparent, grandchild, aunt, uncle, niece, nephew, first cousin, son-in-law, daughter-in-law, brother-in-law, or sister-in-law.
- B. Police, Firefighters, and General Services  
Police, Fire, and General Services employees shall be granted bereavement leave pursuant to their respective labor agreements.

## **MILITARY LEAVE**

- A. An employee called to military duty or otherwise engaged in military service is protected as provided by existing Federal and State laws for job protection.
- B. The City will, upon request, provide continued health insurance coverage to an employee's eligible dependent(s) for a period of involuntary active duty. Involuntary active duty will be defined as those periods of service, which cannot be refused by the service member including: annual training, active duty for training (within the assigned military occupational specialty or branch assigned) and actual activation for active duty requiring a green identification card. The City shall underwrite the monthly premium costs associated with said extended coverage. The individual employee shall not be eligible to remain on the health insurance policy as medical services are provided by the United States military. In addition, the City's health insurance reimbursement policy shall not apply under this provision. Nothing in this section shall be construed to conflict with the employee's rights and privileges under Federal COBRA regulations.
- C. A Request for Time Off form shall be submitted to the Department Head for approval at least thirty (30) days prior to the military service, unless an immediate, unexpected activation occurs.
- D. An employee may elect to use vacation time for a portion of this military leave.

## **FAMILY AND MEDICAL LEAVE ACT**

- A. The City agrees to comply with all Federal laws governing the Family Medical Leave Act.

## **INSURANCE**

### **A. HEALTH INSURANCE**

- 1. The City shall provide family, couple, single-parent and single health insurance coverage. The health insurance plan of record shall be selected by the City. The City may change or amend the plan of record at any time in accordance with applicable laws and regulations. This policy is not, and shall not be, subject to current or future prevailing rights clauses contained in any employee labor agreement.
- 2. The City shall reimburse any full-time employee who is eligible for family medical insurance coverage, and who elects to decline all or part of their medical insurance coverage, as outlined below:

| <u>Waiver type</u>                                 | <u>Reimbursement</u> |
|--|----------------------|
| Family plan to spouse's family plan (full waiver): | \$7,500 per year     |
| Family plan to single plan:                        | \$5,000 per year     |
| Family plan to employee-child (remove spouse):     | \$2,500 per year     |

**Effective 4/29/2021**

The City reserves the sole and exclusive right to amend or discontinue this reimbursement policy. This policy is not, and shall not, be subject to past, current or future prevailing rights clauses contained in employee labor agreements.

- a. All employees who elect to waive any coverage shall provide documentation that they, or any part of their family affected by the waiver, are covered under another health insurance plan.
- b. Employees who elect to waive any coverage shall sign an affidavit acknowledging that they are voluntarily electing to waive coverage under the City's plan of record and release the city from any liability.
- c. Reimbursement payments shall be made in arrears on a quarterly basis for all employees not covered under a union contract. Union employees shall be reimbursed as outlined in their respective contracts.
- d. Final reimbursements shall be prorated to an employee's last day of employment with the city.

### **3. Section 125 Plan.**

The City may offer a Section 125 Plan to Administration, Police, Fire, and General Services employees. The administrative costs associated with the Section 125 Plan shall be paid by the City. Employee participation in the plan is voluntary. The City reserves the sole and exclusive right to amend or discontinue to offer a Section 125 Plan. This policy is not, and shall not be, subject to past, current or future prevailing rights clauses contained in any employee labor agreement.

B. LIFE INSURANCE

1. All regular full-time employees of the City are eligible at the option of the employee for a \$40,000 group life insurance policy. Coverage will become effective ninety (90) days after appointment to the employee's position.
2. The premiums for this insurance shall be paid fifty (50) percent by the employee and fifty (50) percent by the City.

C. DENTAL INSURANCE

1. Administration  
The City shall provide and underwrite the total annual premium costs of a dental plan, selected by the City, for all regular full-time administrative employees.
2. Police, Firefighters and General Services  
Police, Fire and General Services employees shall receive dental insurance coverage pursuant to their respective labor agreements.

D. SOCIAL SECURITY INSURANCE

The City and the employee shall contribute equal amounts at the rate determined by U.S. Congress.

E. WORKERS COMPENSATION INSURANCE

The City shall provide workers compensation coverage for all employees. The City, or its insurer, shall pay medical expenses and disability payments in accordance with workers compensation laws of the Commonwealth of Kentucky. Any additional information regarding workers compensation insurance and supplemental injury pay will be outlined in the specific labor agreement.

F. VISION INSURANCE

The City may offer vision insurance. The City reserves the sole and exclusive right to amend, suspend, or discontinue to offer vision insurance. This policy is not, and shall not be subject to current or future prevailing rights clauses contained in any employee labor agreement. Effective 12/15/2008

**EDUCATION REIMBURSEMENT**

A. Administration

1. It is the policy of the City to offer educational assistance to full-time employees wishing to pursue job-related training at an accredited college, university, or technical school. The City will reimburse the employee for the actual cost of tuition, books and other fees up to a maximum of the in-State tuition rate for two three-hour courses at Northern Kentucky University per fiscal year. The employee is responsible for any Federal or State tax withholding as may be applicable.

2. An employee must obtain approval from the City Administrative Officer prior to registering for a course or courses.
3. Upon completion of the course(s), the employee must submit to the City Administrative Officer an approved grade report or certification of completion before reimbursement.

| <u>Grade Achieved</u> | <u>Reimbursement Rate</u> |
|-----------------------|---------------------------|
| A                     | 100%                      |
| B                     | 90%                       |
| C                     | 80%                       |
| D                     | 0%                        |
| F                     | 0%                        |

If an employee completes multiple classes at one time, the grades shall be weighted and averaged (mean average) to determine the reimbursement rate. For example, if an employee received an "A" for a 5-hour class, two "B's" for 3-hour classes and a "C" for a 3-hour class, the reimbursement rate shall be  $(5 \times 100\% + 6 \times 90\% + 3 \times 80\%) / 14$  credit hours = 91.43%. The reimbursement rate would be 91.43%.

Courses completed on a pass/fail basis shall be reimbursed at 100% for a passing grade and at 0% for a failing grade.

**B. Police, Firefighters and General Services Employees covered by AFSCME.**

1. Police, Fire and General Services employees shall follow the procedures outlined above, but shall receive reimbursement, if any, as outlined in their labor agreement.

**VEHICLE POLICY**

- A. Employees who are issued a City vehicle for use shall be responsible for that vehicle. They shall not allow any other individual not employed with the City to operate said vehicle.
- B. The City shall be responsible for expenses relating to maintenance, upkeep, fuel consumption, and insurance.
- C. Any employees who is permitted personal use of a City vehicle shall be responsible for individual tax liability as a fringe benefit as determined by the Federal Tax Code (Internal Revenue Service).
- D. If it becomes necessary for a department to temporarily utilize a vehicle from another department, the respective Department Heads shall coordinate the use of said vehicle.
- E. Any employee involved in an accident or otherwise causing damage to a City vehicle or equipment may be subject to a hearing before the Board of Inquiry (see Table of Contents). A specific Vehicle Use Policy has been established by the City as it relates to individual use of a City vehicle. Please see Section F below for information relative to the specific vehicle use policy for each City vehicle. All employees having access to City vehicles shall be responsible for verifying use restrictions on the vehicle prior to operation.
- F. The following are the individual vehicle use restrictions as referenced in Section E above:

**1. ADMINISTRATION**

- a. City Administrative Officer: The City Administrative Officer has unrestricted use of a vehicle provided by the City for official business and private purposes. The City Administrative Officer's vehicle shall not be utilized outside of a 100 mile radius of the City, except for official business, without first receiving prior approval of the Mayor.
- b. Facilities Manager/Maintenance Coordinator: The City may provide the Facilities Manager/ Maintenance Coordinator with a vehicle to be utilized for official business purposes only, at the discretion of the City Administrative Officer. The Property Manager's vehicle may be utilized after normal working hours, or on weekends in emergency situations as required. The Property Manager's vehicle shall not be utilized outside of a 100 mile radius of the City without receiving prior approval of the City Administrative Officer.
- c. General Services: The General Services Department may be provided with a vehicle to be utilized for official business purposes only. The General Services Department vehicle shall not be utilized outside of a 100 mile radius of the City without receiving prior approval of the City Administrative Officer.

## 2. GENERAL SERVICES

- a. Director of General Services: The City may provide the Director of General Services with a vehicle to be utilized, unrestricted, for official business and private purposes, at the discretion of the City Administrative Officer. The Director of General Services' vehicle shall not be utilized outside of a 100 mile radius of the City without receiving prior approval of the City Administrative Officer.
- b. General Services Superintendent: The City may provide the General Services Foreman with a vehicle to be utilized, unrestricted, for official business and private purposes, at the discretion of the City Administrative Officer. The General Services Foreman's vehicle shall not be utilized outside of a 100 mile radius of the City without receiving prior approval of the City Administrative Officer.
- c. Other General Services Vehicles and Equipment: All other General Services vehicles and equipment shall be utilized for official business purposes only except as authorized by the Director of General Services or the City Administrative Officer.

## 3. FIRE DEPARTMENT

- a. Fire Chief: The Fire Chief has unrestricted use of a vehicle provided by the City for official business and private purposes. The Fire Chief's vehicle shall not be used for any purpose outside of a 100 mile radius of the City without receiving prior approval of the City Administrative Officer.
- b. Other Fire Vehicles and Equipment: All other Fire Vehicles and equipment shall be utilized for official business purposes except as authorized for official business purposes by the Fire Chief or the City Administrative Officer. In addition, all other vehicles and equipment of the Fire Department shall not be utilized outside of a 100 mile radius of the City without receiving prior approval of the Fire Chief or the City Administrative Officer.

## 4. POLICE DEPARTMENT

- a. Police Chief: The Police Chief has unrestricted use of a vehicle provided by the City for official business and private purposes. The Police Chief's vehicle shall not be utilized for any purpose outside of a 100-mile radius of the City without receiving prior approval of the City Administrative Officer.
- b. Detective/Administrative Vehicles: City-owned vehicles assigned to detectives in the investigations unit or officers assigned to the Administrative Lieutenant position shall be used primarily for official business. Since personnel so assigned must be available for "call-outs" at times other than normal working hours, the vehicles shall also be available for reasonable private use. The detective/administrative vehicles shall not be utilized outside of a 100 mile radius of the City without receiving prior approval of the Police Chief or the City Administrative Officer.
- c. Unmarked Department Vehicles: All other unmarked department vehicles shall be utilized for official business purposes only as authorized by the Police Chief or the City Administrative Officer. In addition, all unmarked department vehicles shall not be utilized outside of a 100 mile radius of the City without receiving prior approval from the Police Chief or the City Administrative Officer.
- d. Marked Cruiser Vehicles: All marked cruiser vehicles shall be utilized for official business purposes and related law enforcement uses only.
- e. Special Assignment Vehicles: Officers assigned to specialized duties may be assigned a vehicle for their specific use due to their specialized equipment or the need to keep equipment or materials ready for use in their assignment. All special assignment vehicles shall be utilized for official business purposes only as authorized by the Police Chief or the City Administrative Officer. In addition, special assignment vehicles shall not be utilized outside of a 100 mile radius of the City without receiving prior approval from the Police Chief and City Administrative Officer.

## RETIREMENT

- A. The City of Fort Thomas is a participating agency within the Kentucky Retirement Systems County Employees Retirement System (C.E.R.S.) as outlined and described in KRS 78.530. The City is obligated to comply with all statutory and administrative regulations as promulgated by the State of Kentucky (and applicable state agencies) as it relates to participating in this retirement system. Specific participation requirements for classes of employees may be further outlined in respective labor agreements for the Police, Fire and General Services Departments.

- B. The City of Fort Thomas administers a separate retirement system for former police and fire personnel as outlined in KRS 95.762-95.785. This pension system was closed to new participants effective February 1, 1988.
- C. The City of Fort Thomas voluntarily participates in a deferred compensation program administered by the Kentucky Public Employees Deferred Compensation Authority pursuant to KRS 18A.230-18A.275. There are no employer contributions made for an employee covered by a labor agreement or hazardous duty classification as defined by the Kentucky Retirement Systems. Participation by eligible employees is voluntary and all rules, regulations and policies are established by the Kentucky Public Employees' Deferred Compensation Authority and/or Internal Revenue Service.
- D. Effective July 1, 2009, the City will make an employer contribution to the Deferred Compensation Program in the amount of three percent (3%) of the base salary for eligible and participating employees, classified as full-time, non-hazardous and non-union personnel within the City workforce. This three percent (3%) employer contribution shall be made as an equal match to a three percent (3%) contribution made by eligible personnel. Employees who are eligible and elect not to contribute at least three percent (3%) of their base salary to the Deferred Compensation Program shall not be eligible for any amount of the employer matching contribution.

## **SECTION XIII**

### **SMOKING POLICY**

The following smoking policy is hereby established and enforced for all City departments:

- A. This Smoking Policy, effective on March 1, 1995, shall apply to all employees and visitors while inside the City Building complex, the General Services facility, and all Recreation Buildings. Smoking will be a prohibited activity in all departments, offices, and meeting rooms.
- B. The rule of courtesy shall apply to city-owned vehicles except in those instances where smoking is expressly prohibited.
- C. "No Smoking" signs shall be posted at the primary entrances of all City buildings subject to the provisions of this policy and at various locations within these buildings.
- D. Complaints regarding non-compliance shall be made in writing to the Department Head or City Administrative Officer for resolution. Any employee who violates the terms or provisions of this policy will be subject to disciplinary action in the same manner and magnitude as other infractions of the City's Policies or work rules. Visitors and others who violate this policy shall be advised by employees of this public policy and requested to extinguish smoking materials.

## SECTION XIV

### TECHNOLOGY AND ELECTRONIC EQUIPMENT USE POLICY

#### STATEMENT OF PURPOSE

The City provides access for its employees to various types of technology and electronic equipment designed to improve the efficiency, effectiveness and productivity of the employee in the performance of his duties and for delivery of services to the public. This technology and electronic equipment includes, but is not limited to personal computers (PCs), printers, internet access, electronic mail, voice mail, facsimile machines and cellular telephones. The purpose of this policy is to establish guidelines and restrictions relating to the use of the technology and electronic equipment.

#### A. GENERAL GUIDELINES/RESTRICTIONS

The following guidelines and restrictions shall apply to all technology and electronic equipment use:

1. All electronic equipment is the property of the City of Fort Thomas, including all files, data, software and other information contained therein.
2. All electronic equipment shall be used for business use and any personal use should be approved, in advance, by the employee's supervisor and kept to a minimum.
3. Any and all information stored, transferred or downloaded on any type of electronic equipment is the property of the City and in many instances, subject to inspection and disclosure under Open Records laws. The City reserves the right to randomly access and inspect information contained within City equipment, without prior notice to the employee. There should be no expectation of privacy on the part of the employee.
4. No information, files, data, software or any other type of communication shall be solicited, transferred, viewed, or stored which contains any type of offensive message or content. Examples of inappropriate content include, but are not limited to, sexually explicit, obscene, racist, threatening, harassing, sexist and similar language or images.
5. No information shall be downloaded, retrieved or reused which is illegal, or otherwise protected from copyright or licensing infringement.
6. No technology or electronic equipment shall be used by any employee for personal gain or economic benefit.
7. If any employee is unsure whether or not a specific use involving electronic equipment is inappropriate, he should check with his supervisor before performing the activity in question.

#### B. PERSONAL COMPUTERS/PRINTERS

Personal computers and printers assigned to a specific employee and/or work spaces shall be the responsibility of the employee for care and to report damage and/or problems to his department head or their designee. Personal computers and printers shall be used for business use. Any personal use shall be approved, in advance, by the employee's supervisor and kept to a minimum. No software shall be loaded onto any computer without the prior approval of the employee's supervisor and IT Manager.

C. INTERNET ACCESS

1. All employees with access to the internet service are responsible for the proper use, rules and etiquette of the internet, and shall conduct their work accordingly at all times.
2. Any file or information downloaded from an internet source shall be first scanned for viruses.
3. The City reserves the right to monitor internet use and randomly inspect City equipment and files for unauthorized or inappropriate use.

D. ELECTRONIC MAIL/VOICE MAIL

1. E-mail and voice messages are the sole property of the City and subject to review and disclosure under Open Records laws. The City may access and inspect E-mail and voice mail information at any time without the prior notice or consent of the employee.
2. E-mail and voice mail users shall not share information regarding security measures and user ID with other employees without prior consent of their supervisor. Employees are responsible for all E-mail originating from their user-ID.
3. Any E-mail or voice mail message received by an employee requiring a response from the City, placing the City on notice of a specific matter, or potentially relating to litigation involving the City shall be forwarded to the employee's supervisor.
4. If any E-mail or voice mail material is thought to contain prohibitive content, the receiver shall save the E-mail or voice mail message and forward a copy to his supervisor.
5. Confidential information or information on a specific and personal nature should not be sent using E-mail or voice mail systems unless the user is certain that security on the receiving end is assured.

E. CELLULAR TELEPHONES

1. All requests for cellular telephones shall be made to employee's Department Head along with supporting basis and justification and how such equipment will improve productivity and service to the public.
2. All requests must be authorized by the City Administrative Officer.
3. The City Administrative Officer will determine the rate for reimbursement based on the percentage of employee utilization for business purposes and need for "data plan" usage.

F. ENFORCEMENT

Any violation or abuse of this policy by an employee may result in disciplinary action up to and including dismissal. Additional penalties may include loss of privilege to use specific electronic equipment and civil or criminal penalties depending upon the nature and extent of the infraction.

## SECTION XV

### REIMBURSABLE EXPENSE REPORTING

#### **PERSONNEL COVERED**

The following individuals are included in this policy:

All elected officials;  
All full-time and part-time employees;  
All members of volunteer organizations;  
Any other individuals authorized for reimbursement of expenses by the City, the City Administrative Officer; and/or the Board of Council.

#### **A. APPROVAL PROCESS**

1. All covered personnel shall obtain prior approval from their Department Head and/or the City Administrative Officer for any travel plans.
2. After the Department Head and/or City Administrative Officer approvals have been obtained, all advance request forms and reimbursement forms shall then be submitted to the Director of Finance for payment.
3. The person approving the request is responsible for monitoring the reasonableness of the anticipated or reported expenses and will make any additions or deletions as necessary. Every effort must be made to encourage wise and judicious use of the expense reimbursement policy. Those responsible for the administration of this policy must ensure that it is fully respected and complied with by all who use it.

#### **B. ALLOWABLE EXPENSES**

1. TRANSPORTATION
  - a. Air travel: air coach should be used on all occasions.
  - b. Automobile travel: City vehicles, when available, are to be used for business travel. Personal vehicle use and reimbursement of expenses is to be approved prior to use by the Department Head and/or the City Administrative Officer. (For authorized use of personal vehicles for City business, a reimbursement consistent with the current Federal IRS allowance, plus tolls and parking fees, will be paid to cover operating costs.)
  - c. Rented automobiles: The expense of rental automobiles (or other vehicles) requires pre-approval by the City Administrative Officer. These rentals will be authorized only if the type of trip or business location is such that another means of transportation is not available or practical.
  - d. Transportation costs to and from airports shall be by the means advantageous to the City. When available, hotel or rental agency transportation service should be used rather than taxi cab service.
  - e. The City will not reimburse an employee for any fines resulting from breaking any municipal, County, State, or Federal law.
2. LODGING  
The City shall pay reasonable costs incurred for lodging required while conducting official City business. Employees shall use accommodations appropriate to the nature of the business trip. Two employees of the same gender shall share one room, wherever possible, except as otherwise authorized by the Department Head and/or City Administrative Officer.

### 3. MEALS

The City shall pay reasonable costs incurred while on official City business, with the following requirements:

- a. A flat maximum daily per diem rate, based upon the current rates outlined by the U.S. General Services Administration (GSA) will be authorized with no requirement of receipts. This per diem for meals will be provided to the employee prior to travel, no more than one week in advance of departure.
- b. All meals provided at no cost to the employee (i.e., that are included in registration fees) shall be deducted from the authorized per diem. The per diem meal allowance will be further adjusted according to both arrival and departure times as follows:

|           |                             |
|-----------|-----------------------------|
| Breakfast | (consumed prior to 11 A.M.) |
| Lunch     | (consumed prior to 3 P.M.)  |
| Dinner    | (consumed prior to 11 P.M.) |

- c. In circumstances where an employee travels to a higher cost of living area, an adjustment may be authorized by the City Administrative Officer, using the GSA rates as a guideline. The City will not reimburse employees the cost of any alcoholic beverage consumed while conducting official City business.

**Amended 4/19/2021**

### C. SUPPORTING DOCUMENTATION REQUIRED

1. Written, pre-travel authorization is required in order to receive a travel per diem advance or for reimbursement. This authorization must be submitted for approval to the Department Head and/or City Administrative Officer at least seven (7) days prior to the departure date.
2. To receive reimbursement for any additional travel expenses that were not listed on pre-travel authorization form, an employee must submit a travel expense request form and attach all receipts. This completed form must be submitted within seven (7) days of the employee's return from travel.
3. No reimbursement shall be processed or made by any other means than the travel expense request form.
4. It is the responsibility of the employee to make all requests and claims for reimbursement.
5. If supporting documentation is not readily available or is absent (i.e. receipts for taxi-cab fares, tips or the like) the Department Head and/or City Administrative Officer will approve the report indicating that in his/her judgment such documentation in these cases is not available or necessary and that the expenses so indicated are reasonable and customary.
6. All receipts that are in the form of a personal credit card charge, which are available at the time the travel expense request form is prepared, should be attached. If copies of items charged on personal credit cards are not available, the name of the bank/card will be shown, as well as the amount to be billed. When the charge invoice is received and submitted, that expense will be reimbursed.
7. Copies of the two forms mentioned, the Pre-Travel Authorization Form and the Travel Expense Request Form, may be made from this Manual and are included as pages 15.3 and 15.4.

### D. SUBMISSION OF EXPENSE REPORTS

Any expense reports for daily or frequent travel and for meal expenses in the local area shall be submitted to the Department Head and/or the City Administrative Officer on the Travel Expense Request Form on a monthly basis.

## "Appendix A"

The following are the individual vehicle use restrictions as referenced in the Vehicle Policy on page 12.9 of this Manual.

### A. ADMINISTRATION

- d. City Administrative Officer: The City Administrative Officer has unrestricted use of a vehicle provided by the City for official business and private purposes. The City Administrative Officer's vehicle shall not be utilized outside of a 150 mile radius of the City, except for official business, without first receiving prior approval of the Mayor.
- e. Facilities Manager/Maintenance Coordinator: The City provide the Facilities Manager/ Maintenance Coordinator with a vehicle to be utilized for official business purposes only. The Property Manager's vehicle may be utilized after normal working hours, or on weekends in emergency situations as required. The Property Manager's vehicle shall not be utilized outside of a 150 mile radius of the City without receiving prior approval of the City Administrative Officer.
- f. General Services: The General Services Department be provided with a vehicle to be utilized for official business purposes only. The General Services Department vehicle shall not be utilized outside of a 150 mile radius of the City without receiving prior approval of the City Administrative Officer.

### B. RECREATION

1. Director of Recreation: The City provide the Director of Recreation with a vehicle to be utilized for official business purposes only. The Director of Recreation shall be authorized to utilize said vehicle for transportation to and from work in addition to other official business and related activities after normal working hours. The Director of Recreation's vehicle shall not be utilized outside of a 150 mile radius of the City without receiving prior approval of the City Administrative Officer.
2. Other Recreation Vehicles and Equipment: All other Recreation vehicles and equipment shall be utilized for official business purposes only except as authorized by the Director of Recreation or the City Administrative Officer. In addition, all other vehicles and equipment in the Recreation Department shall not be utilized outside of a 150 mile radius of the City without receiving the prior approval of the City Administrative Officer.

### C. GENERAL SERVICES

1. Director of General Services: The City provide the Director of General Services with a vehicle to be utilized for official business purposes only. The Director of General Services shall be authorized to utilize said vehicle for transportation to and from work in addition to other official business and related activities after normal working hours. The Director of General Services' vehicle shall not be utilized outside of a 150 mile radius of the City without receiving prior approval of the City Administrative Officer.
2. General Services Foreman: The City provide the General Services Foreman with a vehicle to be utilized for official business purposes only. The General Services Foreman shall be authorized to utilize said vehicle for transportation to and from work in addition to other official business and related activities after normal working hours. The General Services Foreman's vehicle shall not be utilized outside of a 150 mile radius of the City without receiving prior approval of the City Administrative Officer.
3. Other General Services Vehicles and Equipment: All other General Services vehicles and equipment shall be utilized for official business purposes only except as authorized by the Director of General Services or the City Administrative Officer.

### D. FIRE DEPARTMENT

1. Fire Chief: The Fire Chief has unrestricted use of a vehicle provided by the City for official business and private purposes. The Fire Chief's vehicle shall not be used for any purpose outside of a 150 mile radius of the City without receiving prior approval of the City Administrative Officer.
2. Other Fire Vehicles and Equipment: All other Fire Vehicles and equipment shall be utilized for official business purposes except as authorized for official business purposes by the Fire Chief or the City Administrative Officer. In addition, all other vehicles and equipment of the Fire Department shall not be utilized outside of a 150 mile radius of the City without receiving prior approval of the Fire Chief or the City Administrative Officer.

## E. POLICE DEPARTMENT

1. Police Chief: The Police Chief has unrestricted use of a vehicle provided by the City for official business and private purposes. The Police Chief's vehicle shall not be utilized for any purpose outside of a 150-mile radius of the City without receiving prior approval of the City Administrative Officer.
2. Detective/Administrative Vehicles: City-owned vehicles assigned to detectives in the investigations unit or officers assigned to the Administrative Lieutenant position shall be used primarily for official business. Since personnel so assigned must be available for "call-outs" at times other than normal working hours, the vehicles shall also be available for reasonable private use. The detective/administrative vehicles shall not be utilized outside of a 150 mile radius of the City without receiving prior approval of the Police Chief or the City Administrative Officer.
3. Unmarked Department Vehicles: All other unmarked department vehicles shall be utilized for official business purposes only as authorized by the Police Chief or the City Administrative Officer. In addition, all unmarked department vehicles shall not be utilized outside of a 150 mile radius of the City without receiving prior approval from the Police Chief or the City Administrative Officer.
4. Marked Cruiser Vehicles: All marked cruiser vehicles shall be utilized for official business purposes and related law enforcement uses only.
5. Special Assignment Vehicles: Officers assigned to specialized duties may be assigned a vehicle for their specific use due to their specialized equipment or the need to keep equipment or materials ready for use in their assignment. All special assignment vehicles shall be utilized for official business purposes only as authorized by the Police Chief or the City Administrative Officer. In addition, special assignment vehicles shall not be utilized outside of a 150 mile radius of the City without receiving prior approval from the Police Chief and City Administrative Officer.