

ORDINANCE NO. 47-2002

**AN URGENCY ORDINANCE OF THE
CITY COUNCIL OF THE CITY OF ELK GROVE
REPEALING CERTAIN SPECIFIED CHAPTERS OF THE ELK GROVE MUNICIPAL
CODE RELATING TO PERSONNEL
AND ADOPTING REVISED PERSONNEL RULES AND REGULATIONS**

THE CITY COUNCIL OF THE CITY OF ELK GROVE, CALIFORNIA, does ordain as follows:

Section 1: Specified Chapters of the Municipal Code Relating to Personnel.

- A. The City Council of the City of Elk Grove has adopted portions of the Sacramento County Code as the City's own, including:
- Chapter 2.27 regarding Affirmative Action Committee;
 - Chapter 2.78 regarding Personnel;
 - Chapter 2.79 regarding Employee Relations;
 - Chapter 2.80 regarding Disabled Employees;
 - Chapter 2.81 regarding Unemployment Coverage;
 - Chapter 2.82 regarding Cost of Living Adjustments;
 - Chapter 2.83 regarding Deferred Compensation Plans;
 - Chapter 2.84 regarding Sick Leave Credits Toward Retirement;
 - Chapter 2.85 regarding Increases in Retirement Allowances;
 - Chapter 2.86 regarding Safety Member Provisions;
 - Chapter 2.100 regarding Management Compensation;
 - Chapter 2.104 regarding Management Representation;
 - Chapter 2.105 regarding Informal Representation of Employees other than Management or Confidential;
 - Chapter 2.106 regarding Taxation of Retirement Contributions; and
 - Chapter 2.108 regarding Representation of Confidential Employees.

Section 2: Repeal of Chapters of the Municipal Code.

The City Council hereby repeals Chapters 2.27, 2.78, 2.79, 2.80, 2.81, 2.82, 2.83, 2.84, 2.85, 2.86, 2.100, 2.104, 2.105, 2.106, and 2.108 of the Elk Grove Municipal Code, in their entirety. In all other respects, the Municipal Code of the City of Elk Grove shall remain in effect and unaltered by this ordinance.

Section 3: Adoption of Revised Personnel Rules and Regulations.

After a review of the current Personnel Rules and Regulations, which were adopted via Resolution No. 2000-58, it has been determined that they reflect a management style that is not in keeping with the City's direction toward, among other things, performance-based management, standards of conduct, copyrighted and confidential information, use of City property, prevention of harassment, avoidance of workplace violence, benefits entitlement, family and medical leave, substance abuse prevention and the accommodation of those with disabilities. Accordingly, the City hereby adopts the Revised Personnel Rules and Regulations, attached hereto as Exhibit A, which are intended to reflect the City's desired management style and policies and to govern employees hired after the adoption date of this Ordinance, employees who agree to be governed by the Revised Personnel Rules and Regulations herein adopted and any other employee to whom these Revised Personnel Rules and Regulations apply. To the extent that this Ordinance conflicts with Ordinance No. 2000-13, this Ordinance and the Revised Personnel Rules and Regulations adopted herein shall govern employees hired after the adoption date of this Ordinance, employees who agree to be governed by these Revised Personnel Rules and Regulations and any other employee to whom these Revised Personnel Rules and Regulations apply.

Section 4: No Mandatory Duty of Care.

This urgency ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care towards persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 5: Severability.

If any provision of this urgency ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance, which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

Section 6: Urgency – Immediate Effect.

This urgency ordinance shall take effect immediately upon its adoption as an urgency ordinance. A statement of the reason for its urgency is: The City Council finds that the manifold of Sacramento County code sections adopted by the City on incorporation and subsequent City adopted ordinances, and administrative policies relating to the personnel administration of the employees of the City of Elk Grove presents an immediate threat to the fiscal integrity of the City. The Sacramento County codes adopted by the City on incorporation no longer have a beneficial purpose for the City and the newly adopted City ordinances and polices better protects the fiscal integrity of the City. If this ordinance were not immediately effective, that portion of the County Codes that were adopted by the City of Elk Grove on incorporation would make the City adopted Personnel Rules and Regulations and the Revised Personnel Rules and Regulations franchise ambiguous and difficult to enforce effective thereby threatening the moral of the City's work force and creating uncertainty as to the applicable Rules and Regulations. Therefore, this ordinance's immediate effect is necessary for the preservation of the public health, safety and welfare.

Section 7: Publication.

This Ordinance shall take effect immediately after its adoption. In lieu of publication of the full text of the ordinance within 15 days after its passage, a summary of the ordinance may be published at least five days prior to and fifteen (15) days after adoption by the City Council and a certified copy shall be posted in the office of the City Clerk, pursuant to GC 36933(c)(1).

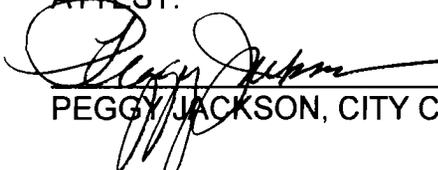
PASSED AND ADOPTED by the City Council of the City of Elk Grove this 4th day of December 2002.



RICK SOARES, MAYOR
CITY OF ELK GROVE

APPROVED AS TO FORM: 

ANTHONY B. MANZANETTI,
CITY ATTORNEY

ATTEST:


PEGGY JACKSON, CITY CLERK

EFFECTIVE DATE: December 4, 2002

- AYES: Soares, Briggs, Cooper
Scherman, Leary**
- NOES: None**
- ABSTAIN: None**
- ABSENT: None**

City of Elk Grove
Revised Personnel Rules and Regulations

Revised: January 2003

TABLE OF CONTENTS

SECTION I – INTRODUCTION

Receipt and Acknowledgment	
Welcome and Introduction	I-1
General Provisions	I-2
Disclaimer	I-3

SECTION III – BENEFITS

Administrative Leave	B-1
Benefit Overview	B-2
Bridging Policy	B-3
Leaves of Absence	B-4
Health Exams/Cancer Screening	B-5
Annual Leave	B-6

SECTION II – COMPENSATION

Salary Administration	C-1
Break/Meal Periods	C-2
Discretionary Bonus	C-3
Business Travel/Expense Reporting	C-4
Holidays	C-5
Severance	C-6

SECTION V - EMPLOYEE RELATIONS

Disciplinary Process	E-1
Grievances	E-2
No Smoking	E-3
Reassignment	E-4
Termination of Employment	E-5

SECTION VI – GENERAL

Anti-violence	G-1
Confidential Material/Confidentiality	G-2
Copyrighted Software	G-3
Distribution, Solicitation, & Vending	G-4
Dress Code	G-5
Use of City Property	G-6
Employment of Relatives	G-7
Hiring Process	G-8
Orientation	G-9
Independent Contractors	G-10
Outside Employment	G-11
Political Activities	G-12
Transfer Requests	G-13

SECTION VII – LEGAL

Equal Employment Opportunity	L-1
Americans with Disabilities Act	L-2
Harassment Prevention	L-3
Substance Abuse	L-4
Employee Records	L-5
Immigration Reform and Control Act	L-6
Solicitation of Gifts	L-7

SECTION IV - PERFORMANCE, CONDUCT & CAREER DISCUSSIONS

Absenteeism/Tardiness	P-1
Code of Ethics	P-2
Performance Management	P-3
Standards of Conduct	P-4
Training and Continuing Education	P-5
Employment Status	P-6

SECTION VIII - SAFETY

Employee Safety	S-1
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RECEIPT AND ACKNOWLEDGMENT
OF THE CITY OF ELK GROVE
REVISED PERSONNEL RULES AND REGULATIONS

I acknowledge that I have received a copy of the City of Elk Grove's ("the City") Revised Personnel Rules and Regulations. I understand that these Revised Personnel Rules and Regulations contain important information regarding the City's general personnel policies and on my privileges and obligations as a City employee.

I acknowledge that I am expected to read, understand, and adhere to the City's Revised Personnel Rules and Regulations and will familiarize myself with this material.

Furthermore, I understand that my employment with the City is "at will" and is at the mutual consent of the employee and the City. Accordingly, either the City or I may terminate the employment relationship at-will, with or without cause, at any time.

I understand that my employment with the City is governed by the contents of the Revised Personnel Rules and Regulations and that the City via resolution may modify, rescind and add to these Revised Personnel Rules and Regulations and any policy, benefit or practice described therein, other than the employment at-will policies, from time to time in its sole and absolute discretion with or without prior notice.

Please print your name, sign and date below and return this Acknowledgment to Human Resources.

Employee's Printed Name

Employee's Signature

Date

Title: **WELCOME AND INTRODUCTION**
Number: **I-1**

Welcome to the City of Elk Grove Revised Personnel Rules and Regulations!

The purpose of these Revised Personnel Rules and Regulations to establish policies and procedures for addressing personnel and other matters that provide efficient and effective service to the public. The City may modify or revise these Revised Personnel Rules and Regulations from time to time at its sole discretion. Revisions may be proposed to any Department Head, Human Resources, the Assistant City Manager or the City Manager.

The City of Elk Grove's employees are expected to carry out their job functions in a professional manner, being ever mindful that we are a public entity and that our customers are of paramount importance. To ensure employee understanding of our basic philosophy and expectations, all new employees will attend a new employee orientation program. This program will help new employees understand policies, procedures and benefit plans.

These Revised Personnel Rules and Regulations summarize some of the City of Elk Grove's employment practices and the benefits to which employees are eligible (*except where an applicable agreement provides for different terms and conditions of employment*). An employee's benefits are more completely and accurately described in benefit plan documents, which are available for review in the Human Resources office. If there is any difference between the policies contained herein and the City of Elk Grove plan documents, the plan documents are the exclusive and controlling source with respect to retirement and health and welfare benefits.

The City of Elk Grove, in its sole discretion, reserves the right, at any time, to amend, modify, alter or terminate any of these policies, as well as any employee benefits. New or revised human resource policies and procedures will be communicated in advance of their effective dates. It is the responsibility of the Human Resource Manager to communicate changes.

All employees of the City of Elk Grove are expected to read and familiarize themselves with these Revised Personnel Rules and Regulations. Each employee is to complete and sign an acknowledgement form after receiving these policies. The completed form is to be returned to Human Resources for inclusion in the employee's personnel file.

Title: **GENERAL PROVISIONS**

Number: **I-2**

Purpose

These policies are adopted to promote an efficient, effective personnel system for the City of Elk Grove (hereinafter referred to as the City of Elk Grove or the City), and its employees.

Authority

These policies are adopted by the City Council, and shall be subject and subordinate to applicable federal, state, and local law, including lawfully promulgated regulations adopted thereunder, and lawfully promulgated rules of court.

Amendments

Suggestions for changes or establishment of new policies at the City of Elk Grove may originate in any part of the City of Elk Grove. Suggested policy modifications and/or additions should be provided in writing to the Human Resources Manager, who will route them to the City Manager. No policy is effective until the City has approved it and on such date as designated.

Rules and Procedures

The City Manager may periodically adopt, amend, or rescind rules and procedures consistent with these policies. Department Heads may recommend, and the City Manager may approve, amend, or rescind, additional personnel policies and procedures specific to an individual department, where necessary for the proper administration of the department and consistent with the City of Elk Grove-wide Rules and Regulations adopted hereunder. The City Manager shall hold the exclusive and final authority to determine the consistency of any departmental policy or procedure with the City of Elk Grove-wide policies and procedures, and the consistency of all policies and procedures with these Rules and Regulations. Policies and procedures shall become effective upon such date as the City Manager shall designate.

Interpretation

The City Manager shall exclusively hold the final authority to interpret the policies, rules, regulations, and procedures adopted hereunder. Such power shall include the application of these policies, rules, regulations and procedures to specific employees, positions, and circumstances.

Application

The following Revised Personnel Rules and Regulations shall apply to all officers and employees of the City of Elk Grove, except as follows:

- a) Elective officers;
- b) The City Manager and any assistants to the City Manager, as designated by the City Manager;
- c) The City Attorney;
- d) Members of appointive City Council, commissions and committees;
- e) Persons engaged under contract to supply expert, professional, technical, or any other services;
- f) Volunteer personnel;
- g) All Council-appointed City officers;
- h) Emergency employees who are hired to meet the immediate requirements of any emergency condition, such as extraordinary fire, flood or earthquake which threatens life or property;
- i) Any position primarily funded under a state or federal employment program.

Violations

Violation of any personnel policy, rule or procedure adopted hereunder, shall be grounds for disciplinary action, including but not limited to suspension, demotion, and termination.

Equal Employment

It is the policy of the City of Elk Grove that all actions in connection with any position or employee of the City of Elk Grove shall be taken without regard to race, color, religion, sex, age, national origin, religion, political affiliation, sexual orientation, or employee group membership, and the workplace shall be free of harassment.

Non-Duplicity

The City Manager is hereby authorized to determine, in any instance, where duplication may exist, and establish procedures or make rulings to eliminate such duplication.

Human Resources Officer

The City Manager, as designated by City Ordinance 2000-13, shall serve as the Human Resources Officer. The Human Resources Officer may delegate any of the power and duties conferred upon him/her as Human Resources Officer under this section to any other officer or employee of the City, or may recommend that such powers and duties be performed under contract. The Human Resource Officer shall:

- a. Administer all the provisions of the Personnel Ordinance and of the Revised Personnel Rules and Regulations not specifically reserved to the City Council;
- b. Prepare and recommend to the City Council personnel rules and revisions and amendments to such rules at the direction of the City Manager;
- c. Prepare or cause to be prepared a Position Classification Plan, including class specifications and revisions of the Plan; and
- d. Create appropriate policies and procedures to implement these Rules and Regulations including, but not limited to, recruitment and selection procedures for the filling of positions with the City, consistent with the merit and fair employment principles.

Right to Contract for Services

The City Manager shall consider and make recommendations to the City Council regarding the extent to which the City should contract for the performance of services. The City Council may contract with any qualified person, public, or private agency for the performance of all or any City Service.

Severability

If any section, subsection, sentence, clause phrase or portion of these Rules and Regulations is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of these Rules and Regulations.

Definitions

Whenever used in these Rules and Regulations adopted hereunder, the following terms shall have the following meanings, unless otherwise indicated or unless the context otherwise requires:

Administrative Leave – paid leave allotted to exempt positions in lieu of compensatory time.

Anniversary Date – the date recurring annually upon an employee’s hire date to a regular position. This date is used principally in matters regarding leave accruals, years of service performance evaluations and other related personnel actions.

At-Will - the status of employment wherein the employee may be terminated from employment with the City, by the employee or by the City, at any time with or without cause or and with or without notice.

Benefit - any form of valuable consideration paid or provided to an employee, other than salary, overtime pay, on-call pay, and awards.

The City – the City of Elk Grove, a municipal corporation.

City Council - the elected or appointed members of the City Council of the City of Elk Grove.

Classification - the name and description of a category of positions possessing similar duties, responsibilities, and authorities, exercising and receiving similar levels of supervision, and requiring similar amounts and forms of skills and qualifications.

Compensation - the sum of salary, overtime pay, on-call pay, awards, and all forms of benefits.

Demotion – an action which moves an employee from one classification to another classification having a lower maximum base rate of pay; an involuntary movement, after probation, of an employee from a classification with one salary range to another with a lower salary range, except reclassification; or the reduction in salary of an employee remaining within the same classification and salary range.

Department - a specific work grouping within the City of Elk Grove.

Department Head - when used singularly refers to the employee or position designated by the City Manager to be in charge of a City of Elk Grove department.

Discharge – the involuntary separation of an employee from employment with the City.

Discipline - suspension, demotion, termination, or any performance or behavior issue/concern.

Discretionary Administrative Leave – paid leave when the City Manager determines it is necessary to have an employee away from the workplace pending an investigation or determination of appropriate action.

Employee - a person on the payroll of the City of Elk Grove.

Employment Status

- a. **Temporary employee:** A part-time or full-time employee whose position is funded on a seasonal or other special time period basis.
- b. **Introductory employee:** A new or promoted employee who has been assigned to a position with the City, specifically excluding temporary and seasonal employees.
- c. **Volunteer:** An individual who has agreed to provide a service to the City with full knowledge that monetary compensation will not be provided. Such individuals must be approved by the City Manager and registered with the Human Resources Officer.
- d. **Full-time employee:** An employee whose normal assigned work hours equal a forty (40)-hour workweek.
- e. **Part-time employee:** An employee whose normal assigned work hours are less than a forty (40)-hour workweek.
- f. **Exempt employee:** Employees designated by the Human Resources Officer as ineligible for overtime pay pursuant to applicable law.
- g. **Non-exempt employee:** Employees designated by the Human Resources Officer as eligible for overtime pay pursuant to applicable law.

Evaluation Date - refers to the date approximately one (1) year after the employee's original hire date.

Hire Date - the original date of an employee's assignment to a position with the City.

Human Resources Officer - the City Manager or the individual designated by the City Manager to administer personnel. (Synonymous with Human Resource Manager)

Introductory Period - a trial or working period of twelve (12) months that is an integral part of the selection process during which an employee is required to demonstrate essential skills for a position by actual performance of the duties of the position. This period applies to new and promoted, demoted or transferred employees. This definition in no way changes the employee's employment relationship with the City of Elk Grove, which remains at-will.

Lay-Off – Non-Disciplinary - separation of an employee from employment with the City of Elk Grove. Not related to discipline.

Management - a position, which carries Department Head status or has been designated by the City Manager as a position of general management responsibility (may be full-time, part-time or temporary).

Merit Salary Advancement - an increase of an employee's salary within the salary range established for the classification or position based upon job performance.

Overtime – time worked by a non-exempt employee in excess of forty (40) hours per week, or as otherwise defined by applicable law.

Personnel Policies - those policies, rules, regulations and procedures adopted by the City of Elk Grove.

Promotion - the movement of an employee from a classification with one salary range to another classification with a higher salary range.

Reclassification - an upward or downward change in the salary range of a position.

Reprimand - a verbal or written statement which details specific needed improvements in behavior and/or performance.

Resignation - voluntary termination of employment by an employee.

Salary - regular payment to an employee for services rendered in employment with the City of Elk Grove, excluding overtime, on-call pay, awards, and all forms of benefits.

Salary Range - any one of a series of ranges in salary comprising the City of Elk Grove salary plan, and includes all salaries within the specified minimum and maximum limits of the range.

Separation - leaving employment with the City for any reason.

Spouse - is defined in accordance with state law and refers to husband or wife.

Supervisor - the person designated by a Department Head or their designee who is authorized to schedule and review the work of other employees and to make decisions or effectively recommend actions related to the hiring, evaluation, and discipline of assigned employees.

Suspension - the temporary separation without pay of an employee from employment with the City, for disciplinary purposes, pending an investigation of the employee's conduct.

Termination - separation of an employee from employment with the City, and includes, but is not limited to resignation, retirement, and discharge.

Transfer - movement of an employee from one position to another.

Workweek - the seven (7)-day period beginning at 12:01 a.m. on Monday and ending at 12:00 midnight on the following Sunday, unless otherwise specified by the City.

Working-Out-Of-Class – the temporary change of class with the assignment of additional duties beyond the scope of the current job description.

Title: **DISCLAIMER**
Number: **I-3**

At-Will Employment

Employment with the City of Elk Grove is at-will. The City and its employees have not entered into contracts regarding the duration of employment. Employees are free to terminate employment with the City at any time, with or without reason or advance notice. Likewise, the City has the right to terminate employment, or otherwise discipline, transfer, demote or take other employment actions at any time, with or without reason or advance notice. No employee of the City can enter into an employment contract for a specified period of time or make any agreement contrary to this policy without prior written approval of the City Manager and/or the City Council. The policies contained herein shall not be interpreted as a promise or an implied and/or express contract for continued employment, a guarantee of due process or a commitment to existing terms or conditions of employment.

Specific Disclaimers

Progressive discipline is not required by these policies nor appropriate in every situation. The City retains the right to discipline and discharge without progressive discipline and with or without cause.

Current compensation and benefit levels and terms are not guaranteed nor provided pursuant to a contract. Pay and benefit rates are not guaranteed and may be revised at any time. Vesting statements contained in the retirement plans do not imply a restriction on the City's right to terminate employment.

The "Plan Documents" describing the City of Elk Grove's benefit plans are the exclusive and controlling source of interpretation. Summary descriptions in the manual are not controlling and serve merely to provide general information.

No statement or promise by a supervisor, manager, or Department Head, past or present, may be interpreted as a change in policy nor will it constitute an agreement with an employee.

Violations of Rules and Regulations

Violations of any of these Rules and Regulations may result in discipline up to and including termination.

BENEFITS

The City of Elk Grove's benefit philosophy complements its business strategies and objectives by providing a competitive benefits framework specifically designed to attract and retain a quality workforce.

The City of Elk Grove's benefits programs and practices shall comply with all relevant government regulations, meet business needs, and be reflective of appropriate market-based data.

Current benefit levels and terms are not guaranteed and may be revised at any time except where prohibited by law. The following benefits policies are meant to be guidelines only and in no way alter the at-will nature of the employment relationship or create an express or implied contract between an employee and the City of Elk Grove.

Title: **ADMINISTRATIVE LEAVE**
Number: **B-1**

General

All exempt, full-time employees of the City of Elk Grove are eligible for Administrative Leave. Administrative Leave may be used for any reason. The City will provide each full-time exempt employee with forty (40) or eighty (80) hours of Administrative Leave depending upon the exempt status and determination of the City Manager. Eligible employees may cash out up to 50% of their leave in the month of June and in the month of December. The City Manager may approve up to forty (40) hours of leave for carry-over into the following year.

- At the first of every calendar year, Department Heads, or those designated by the City Manager, will accrue eighty (80) hours of Administrative Leave.
- At the first of every calendar year, all other exempt status employees as identified by the City Manager will accrue forty (40) hours of Administrative Leave.

A leave request form must be approved by the appropriate Department Head prior to taking Administrative Leave. Administrative Leave is computed based upon a fiscal year and is prorated by hire date.

Title: **BENEFIT OVERVIEW**
Number: **B-2**

General

The City of Elk Grove offers a variety of benefits for eligible employees. Information, forms, and summary plan descriptions are available from Human Resources.

Below is a brief description of many of the benefits currently provided to eligible employees. The City of Elk Grove may, at its discretion, add, delete or modify any benefits except as prohibited by law.

Part-time employees who work less than thirty (30) hours per week are not eligible for benefits. Part-time employees who work less than forty (40), but thirty (30) or more hours per week, shall receive benefits commensurate with the percentage of hours worked based upon a forty (40)-hour workweek, in accordance with the part-time benefit tier. Information regarding part-time benefit tiers is available from Human Resources.

Note: This Benefit Overview is not a description of all details in the City of Elk Grove's plans and is subject to the provisions of the summary plan description and other documents which govern the City's plans. Current benefit levels and terms are not a contract. Benefits are not guaranteed and may be revised at any time. Vesting statements contained in the retirement plans do not imply a restriction on the right to terminate employment.

Cafeteria Plan

Eligible employees and their dependents may participate in the City's cafeteria plan within the constraints of the included benefit plans. The level of contribution by the City will be determined by the City.

The City of Elk Grove offers a cafeteria plan for medical, dental, and vision benefits, life, AD&D, long-term disability and short-term disability. Any unused City contribution may be paid to the employee as taxable earnings. Proof of medical coverage, dental coverage and/or vision coverage must be provided if declining coverage.

The City provides a contribution towards medical, dental and vision plans for employees and their eligible dependents as specified in the plan documents. Employees may use this contribution towards the total premium cost of the medical, dental and vision plans they select.

The City provides a contribution equal to the premium cost of term life insurance that provides a benefit amount equal to one time the employee's annual pay. The minimum benefit level is \$50,000.00 or the equivalent of the employee's annual earnings (rounded up to the next higher \$1,000.00). The maximum guaranteed benefit is \$105,000.00.

The City provides a contribution equal to the premium cost of short-term disability insurance that provides a weekly benefit of 60% of the employee's weekly earnings up to a maximum of \$1385 per week. Employees may be eligible to collect short-term disability after a fourteen (14)-day waiting period. Short-term disability benefits may be coordinated with state disability and annual leave to cover the applicable waiting period. An employee is eligible to receive short-term disability for a maximum of eleven (11) weeks.

The City provides a contribution to the premium cost of long-term disability insurance that provides a monthly benefit equal to 60% of the employee's monthly salary up to a maximum of \$6,000.00. Long-term disability benefits may begin after the later of ninety (90) consecutive days of total or partial disability or the date short-term disability ends. Long-term disability benefits are payable for the period during which an employee continues to qualify as totally or partially disabled up to the age of 65.

Retirement and Deferred Compensation

The City shall participate in the Public Employees' Retirement System (PERS) and will pay both the employer and the employee contributions for all eligible employees.

The City offers a deferred compensation plan available to all employees. Employees may elect to contribute up to the maximum dollar amount set by law.

Title: **BRIDGING POLICY**

Number: **B-3**

The City of Elk Grove may reinstate a former employee who has worked at least one (1) year and held a full-time position at the time of termination. The person must re-enter in a full-time position within eighteen (18) months of termination to be considered for reinstatement.

Upon reinstatement, the City of Elk Grove will use an “adjusted” hire date. The length of employment calculation will not include the reinstated employee’s time away from employment with the City. Employees are not entitled to any benefits or contributions for the period they were not on the City of Elk Grove payroll.

Title: **LEAVES OF ABSENCE**
Number: **B-4**

General

The City of Elk Grove offers a variety of leaves of absence for eligible employees. Additional information regarding a specific leave of absence may be obtained from Human Resources.

Family and Medical Leave

The City has established a family and medical leave policy that conforms to the requirements of state and federal law, including, but not limited to, the Family and Medical Leave Act (FMLA) and the California Family Rights Act (CFRA).

a. Eligibility

Employees whom the City has employed for at least twelve (12) months and who have worked at least 1,250 hours during the preceding twelve (12)-month period are eligible to take an unpaid FMLA leave of absence under the following circumstances:

- The birth and care of a newborn child of the employee;
- The placement of a child with the employee in connection with adoption or foster care of a child;
- The employee's own serious health condition; and
- The care of an employee's spouse, child or parent with a serious health condition.

b. Duration of Family and Medical Leaves

Provided that all conditions of this policy are met, eligible employees are entitled to a cumulative maximum of twelve (12) weeks of family and/or medical leave (whether unpaid, using Annual Leave, or both) within a twelve (12)-month leave period. The twelve (12)-month period is measured backward from the date an employee's requested family and/or medical leave begins.

Parents who are both employed by the City are entitled to a combined total of twelve (12) weeks leave in a twelve (12)-month period for the birth, adoption or foster care placement of their child.

Employees on a workers' compensation leave of absence will be granted leave consistent with the City's obligations under workers' compensation law. If the employee's work-related injury also meets the criteria of a serious health condition, the absence will be counted against an employee's family and medical leave entitlement.

Employees disabled due to pregnancy/maternity related conditions may be entitled to additional leave.

c. Compensation and Benefits During Leave

Generally, family and/or medical leave is unpaid. Employees requesting family care leave for the birth and care of a newborn child or placement and initial care of an adopted or foster care child or to care for a child, parent, or spouse of the employee who has a serious health condition may use accrued Annual Leave or Administrative Leave.

Employees requesting medical leave because of the employee's own serious health condition must use accrued Annual Leave.

The use of accrued Annual Leave does not extend the length of the leave, but merely provides a means to continue compensation to the extent accrued paid leave benefits exist. Length of employment credit and Annual Leave will continue to accrue only during the paid portion of a family or medical leave.

The City will continue to provide medical, dental, vision and life insurance (health benefits) for its eligible employees during a paid or unpaid medical leave, family leave or maternity leave up to a maximum of twelve (12) weeks per leave year under the same conditions as would apply if the employee had been continuously employed during the leave period. The City will also continue to provide health benefits for its eligible employees receiving disability or worker's compensation benefits up to a maximum of twelve (12) weeks per leave year or as required by law. The City shall continue to provide retirement and deferred compensation benefits for its eligible employees only during a paid medical leave, family leave or maternity leave or when the employee is receiving disability/worker's compensation benefits up to a maximum of twelve (12) weeks per leave year under the same condition as would apply if the employee had been continuously employed during the leave period. Eligible employees shall not be provided with retirement and deferred compensation benefits during an unpaid medical leave, family leave or maternity leave.

It is the responsibility of the employee on medical leave to apply for State Disability Insurance (SDI) benefits, workers' compensation benefits or other disability benefits, as may be applicable. These benefits will be coordinated with any accrued paid leave benefits from the City.

If an employee fails to return to work following an approved family or medical leave for a period of at least thirty (30) days, the employee must repay to the City the cost of insurance premiums paid by the City during any unpaid portion of leave, unless the employee's failure to return is

related to a serious health condition or is due to other circumstances beyond the employee's control.

d. Leave Request Procedure

Requests for family and medical leaves must be approved in advance by the City Manager. If the need for leave is foreseeable, employees must provide the City with at least thirty (30) days advance notice before the leave is to begin. Failure to provide the requisite thirty (30)-day notice for foreseeable events without any reasonable excuse for the delay may result in the denial of the leave until at least thirty (30) days after the date the employee provides notice of the need for family care or medical leave. Leave requests must set forth the reasons for the leave, the anticipated start date of the leave, the anticipated duration of the leave, or the anticipated schedule for medical treatment. Additionally, all leave requests should be made in writing.

If the need for leave is not foreseeable, and thirty (30)-days notice is not possible, notice must be given as soon as practical, and at least verbally, within two (2) days of learning of the need for leave.

Any request for extension of a family care or medical leave must be received in writing at least five (5) working days before the date on which the employee was originally scheduled to return to work and must include the revised anticipated date(s) and duration of the leave.

The City requires that leave for medical or family reasons are taken in one consecutive period of time. Under certain circumstances, an employee may take leave intermittently or on a reduced work schedule. If the employee takes intermittent or reduced work schedule leave, the City may temporarily transfer that employee to another position of equivalent pay and benefits in order to better accommodate his/her leave. If the employee requires leave for a regimen of medical treatments, he/she should make a reasonable effort to schedule leave so as not to unduly disrupt the City's operations. Pursuant to applicable law, the City of Elk Grove shall provide notice to the employee whether the requested leave shall count against his or her family/medical leave entitlement.

e. Medical Certification

Leave requests based on the serious health condition of the employee or the employee's spouse, child or parent must be supported by written medical certification from a health care provider on a form provided by the City.

The medical certification for a child, spouse or parent with a serious health condition shall include:

- (1) the date, if known, on which the serious health condition commenced;
- (2) the probable duration of the condition;
- (3) the health care provider's estimate of the amount of time needed for family care;
- (4) a statement that the health care condition warrants the participation of the employee to provide family care; and
- (5) in the case of intermittent or reduced schedule where medically necessary, the probable duration of such a schedule.

The medical certification for leave for the employee's own serious health condition shall include:

- (1) the date, if known, on which the serious health condition commenced;
- (2) the probable duration of the condition;
- (3) a statement that, due to the serious health condition, the employee is unable to perform one or more of the essential functions of his or her position; and
- (4) in the case of intermittent leave or reduced schedule leave where medically necessary, the probable duration of such a schedule.

If there is a dispute about the initial medical certification regarding the employee's own serious health condition, the City may require a second opinion by a health care provider of its choice at the City's expense. If the employee's health care provider and the doctor providing the second opinion do not agree, the City may require a third opinion, also at the City's expense, performed by a mutually agreeable doctor who will make the final determination.

Failure to provide the requested medical certification may result in denial of a request for a foreseeable leave of absence until the required certification is provided. With respect to unforeseeable leaves, employees who fail to provide medical certification within a reasonable time under the circumstances may be denied continuation of the leave. Leaves for a serious health condition that are expected to exceed thirty (30) days require medical certification every thirty (30) days to support the continued need for leave of absence. All employees requesting a leave extension must provide an updated medical certification detailing the need for continued leave prior to the expiration of their approved leave.

f. Return to Work

All employees returning from a medical leave must provide medical certification of their fitness to return to work at least five (5) business days prior to their scheduled return date.

Upon return from an approved family or medical leave of no more than twelve (12) weeks duration, the employee will be reinstated to his or her same position or one that is equivalent in pay, benefits and terms and conditions of employment if the prior position has ceased to exist. If the employee's position or an equivalent one is unavailable at the end of leave, the employee will be offered an available job for which the employee is qualified. If no such position is available, the employee will be terminated consistent with the City's obligations under any other applicable law. Reinstatement may be denied to certain key employees, pursuant to applicable law, if necessary for City operations.

Employees who do not return to work after taking the maximum amount of leave will be considered to have resigned, unless the employee obtains approval to extend the leave prior to his or her or planned return date. Acceptance of other employment during a family and/or medical leave will be considered a voluntary resignation.

California Family Rights Act

Employees who have worked for at least twelve (12) months for the City, and who have at least 1,250 hours of employment, are entitled to take a twelve (12)-week leave under CFRA for any reason authorized by law, including for the birth of a child of the employee, the placement of a child with an employee in connection with the adoption or foster care of the child by the employee, or the serious health condition of a child of the employee; to care for a parent or spouse who has a serious health condition; or because of the employee's own serious health condition. CFRA and FMLA leave time may run concurrently.

Pregnancy Disability ("PDL)/Maternity Leave and Benefits

Employees disabled due to pregnancy, childbirth or related medical conditions are entitled to a leave of absence for the time they are disabled up to a maximum of four (4) months. Employees are eligible for pregnancy disability leave upon hire. Full-time employees who have worked for the City for more than one (1) year are eligible for additional maternity leave benefits that are not dependent upon disability. Pregnancy disability leave may run concurrently to any family care or medical leave to which the employee may be entitled.

a. Leave Request Procedure

Notification must be given where possible at least thirty (30) days in advance of the leave by completing a leave of absence request form.

Failure to comply with the notice requirement may result in deferral of the requested leave until such time as the employee complies with the notice provisions.

b. Medical Certification

An employee is required to provide written medical certification of disability. If the employee's condition meets the requirements of a serious health condition, the certification provided for family medical leave is sufficient.

c. Duration of Pregnancy Disability/Maternity Leave

For part-time employees who worked less than 1,250 hours in the prior year and for employees who have been employed for less than one (1) year, the length of leave is a cumulative maximum of four (4) months' disability leave for each pregnancy. These employees are ineligible for non-disability related maternity leave.

For full-time employees who have worked for more than one (1) year, the maximum combined length of pregnancy disability and maternity leave is six (6) months for each pregnancy. If the employee also is eligible for family medical leave, those leave benefits will be coordinated with the pregnancy disability/maternity leave and may or may not operate to extend the total period of leave time.

d. Accommodation of Pregnancy-Related Disabilities

Upon request, an employee is entitled to a reasonable accommodation for disability arising from pregnancy, childbirth, or related medical conditions if she provides medical certification from her health care provider. Such accommodation may include a temporary transfer to a less strenuous or hazardous position for the duration of her pregnancy. A transfer is available, upon request, if the transfer is supported by a medical certification from the employee's health care provider and such transfer can be reasonably accommodated. The City, however, will not create an additional position, discharge any employee, reassign an employee with more seniority, or promote or transfer any employee who is not qualified to perform the new job in order to accommodate a request for a transfer.

e. Compensation and Benefits During Leave

Pregnancy disability/maternity leaves are unpaid. An employee may elect, however, to use Annual Leave or Administrative Leave. The use of these leaves does not extend the length of the leave, but merely provides a means to continue compensation to the extent such benefits exist.

It is the responsibility of the employee on medical leave to apply for State Disability Insurance (SDI) benefits, workers' compensation benefits, or other disability benefits, as may be applicable. These benefits will be coordinated with any accrued paid leave benefits from the City.

Length of employment credits and Annual Leave will continue to accrue only during the paid portion of a pregnancy disability/maternity leave.

For full-time employees with at least one (1) year of employment with the City, the City will maintain all health-related insurance benefits for eligible employees during a pregnancy disability/maternity leave, up to a maximum of six (6) months per leave under the same conditions as coverage would have been provided if the employee had been continuously employed during the leave period. If the employee is eligible for family medical leave, these benefits will be coordinated and will run concurrently.

For full-time employees with less than one (1) year of employment with the City, and for part-time employees who regularly work at least thirty (30) hours per week, the City will maintain all health-related insurance benefits for eligible employees during a pregnancy disability/maternity leave, up to a maximum of four (4) months per leave under the same conditions as coverage would have been provided if the employee had been continuously employed during the leave period. If the employee is eligible for family medical leave, these benefits will be coordinated and will run concurrently.

f. Return to Work

All employees returning from a pregnancy disability leave must provide medical certification of their fitness to return to work at least two (2) business days prior to their scheduled return.

Upon return from an authorized pregnancy disability/maternity leave of six (6) months or less, the employee will be reinstated to her same position, unless legitimate business reasons prevent reinstatement. If the employee cannot be reinstated to her prior position, the employee will be placed in a comparable position if one is available and if the employee is qualified for the position. If no such position is available, the employee will be terminated consistent with the City's obligations under any other applicable law.

Employees who do not return to work after taking the maximum amount of leave will be considered to have resigned, unless the employee obtains approval to extend the leave prior to her planned return date. Acceptance of other employment during a pregnancy disability/maternity leave will be considered a voluntary resignation.

g. Lactation Breaks

The City will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for her infant child. The break time shall, if possible, run concurrently with any break time already provided to the employee. Additional break times may be permitted, subject to the operational needs of the City. The City shall make reasonable efforts to provide the employee with a private location for lactation purposes, pursuant to applicable law.

Other Leaves of Absence

a. Bereavement Leave

Full-time employees are eligible for a maximum of three (3) paid days of bereavement leave in the event of the death of a member of the employee's immediate family. For purposes of bereavement leave, immediate family includes spouse, domestic partner, children, children of domestic partner, parents, brothers, sisters, parents-in-law, grandparents, and grandchildren.

b. Military Leave

The City will grant military leave as necessary and in compliance with applicable state and federal law.

Full-time employees with at least six (6) months of employment with the City and who are members of a military reserve unit that requires attendance at a two (2)-week training session annually will be provided a plan that allows for the performance of the training without loss of income. The City will pay qualified employees any difference between his/her normal rate of pay and the amount received in military reserve pay for the two (2)- week period. Upon return from military duty, the employee shall provide the military reserve pay voucher to his/her supervisor and payment will be arranged.

Employees who are absent from City employment due to active duty are entitled, upon return to City employment, to reinstatement to his/her former position and certain other benefits in accordance with applicable federal and state law.

c. Leaves of Absence Without Pay

The Human Resource Officer may grant an employee, including those in their introductory period, a leave of absence without pay or seniority accrual, not to exceed three (3) months. After three (3) months, the leave of absence may be extended, if authorized by the Human Resource Officer. No such leave shall be granted except upon written request of the employee

setting forth the reason for the request, and such approval shall be made in writing. The depositing of a postage-paid, first class letter in the United States mail addressed to the employee's last known place of residence shall be reasonable notice to return to duty. Upon expiration of a regularly approved leave or within a reasonable period of time after notice to return to duty, the employee may be reinstated to the position held at the time the leave was granted. Reinstatement, however, is not guaranteed. Failure on the part of an employee on leave to report promptly after the leave has expired or within a reasonable time after notice to return to duty could result in immediate termination.

Department Heads may grant an employee leave of absence without pay for a period not to exceed one (1) calendar week. Such leaves shall be reported to the Human Resources Officer.

d. Jury Duty/Court Testimony

It is the City's policy to enable its employees to fulfill their civil obligations. If called to serve on jury duty, the employee shall immediately notify his/her supervisor. As required by law, any full-time employee of the City who is required to serve as a juror shall be entitled to be absent from his/her duties with the City during the period of such service provided the employee provides reasonable advance notice.

The City will also provide employees with time off to appear in Court or other administrative proceedings as a witness to comply with a valid subpoena or other Court order or to obtain any relief, including a temporary restraining order, to help ensure the health safety, or welfare of a domestic violence victim or child.

While on jury duty and while serving as a non-party witness in response to a subpoena, the employee shall receive full compensation, for the time that the employee is required to be jury duty service. Whenever a civil or criminal subpoena requires the appearance of an employee for a hearing or court matter regarding the City of Elk Grove matters, time away from work will be paid. Exempt employees will be paid for such service in accordance with law. Any additional compensation received, except mileage reimbursement, from the court will be submitted to the Director of Administrative Services and will be included as a credit toward total remuneration. On any day the employee is not required to serve on jury duty, not required to be physically present or is relieved for the day, the employee will be expected to be at the work place unless there is one (1) hour or less left in the work day.

An employee shall not be paid for working hours lost as a result of proceedings to which he or she is a party, except as required by law.

This policy does not apply to employees who elect to serve as expert witnesses. If an employee elects to do so, accrued Annual Leave hours must be used.

e. Voting Time

Registered voters who do not have sufficient time outside normal working hours may, without loss of pay, take time off to vote at the beginning or end of their regular workday. Time off should be approved by the supervisor at least two (2) working days in advance of the election.

Employees will be provided up to a maximum of two (2) hours paid time off for voting purposes. If additional time is required, it will be provided without pay.

f. Workers' Compensation/Reasonable Accommodation Leave

Employees may take a temporary leave of absence due to workplace injury or to reasonably accommodate a qualified disability under the Americans with disabilities, if appropriate ("ADA"). Any disability leave under this section will run concurrently with any other medical leave to which the employee may be entitled. Employees may be required to submit verification of the employee's physical condition from a health care professional. With the exception of workers' compensation benefits, leaves under this section will be unpaid.

g. Domestic Violence Leave

Employees shall be granted such leave as required by law.

h. Volunteer/Emergency Duty

The City shall grant employees leave to perform volunteer firefighter and/or emergency duties as required by law.

i. School Suspension and Participation Leave

Employees may be granted leave, as required by law, to attend and participate in school activities of their children.

j. Religious Holidays

Upon adequate advance notice, the City will make reasonable accommodations, by rescheduling working hours or releasing from work without pay, an employee to allow observance of a religious holiday, provided that the accommodation would not impose an undue hardship on the City.

k. Leave Pending Disability Retirement

An employee who has applied for disability retirement and who has exhausted all available leave shall be approved for a leave of absence without compensation and benefit accrual, pending the decision on the disability retirement application.

Attendance

Employees shall be in attendance at their work location in accordance with the rules regarding hours of work, holidays and leaves. All departments shall keep attendance records of employees that shall be reported to the Human Resources Officer at the time and in the manner he/she specifies. Failure on the part of an employee to return to duty within twenty-four (24) hours after notice to return may be considered a voluntary resignation, and such employee automatically waives all rights under these Rules. The depositing of a postage-paid, first class letter in the United States mail addressed to the employee's last known place of residence shall be reasonable notice. Such a voluntary resignation may be rescinded by the Human Resources Officer if the employee presents satisfactory reasons for his/her absence within three (3) days of the effective date of his/her resignation.

Title: **HEALTH EXAMS/CANCER SCREENING**
Number: **B-5**

General

The City of Elk Grove will provide two (2) hours off with pay to all full-time employees for a prostate or breast examination. Entitlement is as follows:

<40 years of age	every two (2) years
>40 years of age	annual

The cost of the examination shall be borne by the employee.

Title: **ANNUAL LEAVE**
Number: **B-6**

General

Full-time employees, including those in their introductory period, shall accrue Annual Leave hours rather than traditional vacation and sick leave hours according to the following schedule:

Years of Employment	Annual Accrual	Maximum Accrual
1 through 4	22 days (176 hours)	44 days (352 hours)
5 through 9	24 days (192 hours)	48 days (384 hours)
10 through 14	26 days (208 hours)	52 days (416 hours)
15 through 19	28 days (224 hours)	56 days (448 hours)
20+ years	30 days (240 hours)	60 days (480 hours)

Part-time employees who work thirty (30) hours or more shall be entitled to Annual Leave benefits commensurate with the percentage of hours worked based upon a forty (40)-hour workweek. Part-time employees who work less than thirty (30) hours per week are not entitled to Annual Leave. Accrual begins on an employee's hire date.

Employees are encouraged to take accrued leave on an annual basis. Annual Leave begins accruing the first year of employment. Employees may not accrue more than two (2) times their annual accrual. Once an employee reaches maximum accrual, the employee will stop accruing Annual Leave unless written approval is provided by the City Manager for extenuating circumstances.

Annual Leave hours may be used for any absence approved by the City, including:

- Vacation;
- An absence caused by illness or injury to the employee;
- Doctor, dental and vision appointments for the employee; and
- If the employee's presence is required due to the illness or medical appointment of an immediate family member. Members of immediate family include spouse, children and parents.

The times during which an employee may use Annual Leave for vacation shall be determined by the Department Head with due regard for the needs of conducting City business and the wishes of the employee. Employees with less than three (3) months of employment with the City will not be allowed to use Annual Leave for vacation unless the use of such leave was agreed to and documented prior to employment.

Notification

In order to receive compensation while using Annual Leave for an unscheduled illness or injury, the employee shall notify his/her immediate supervisor or the Department Head prior to or within one (1) hour after the time set for beginning his/her daily duties, or as

may be specified by his/her Department Head. When an unscheduled absence is for one (1) workday or more, the employee may be required to file a physician's certificate with his/her Department Head or the Human Resources Officer, verifying the need to be absent due to illness or injury. The intent of the Annual Leave program is to provide greater flexibility to the employee; however, the City still retains the right to question and to limit use of leave if the unscheduled leave is having a negative impact on City operations and performance.

Annually, at a time determined by the City (or upon special approval by the City Manager), employees may, upon written request and written approval, receive compensation for up to forty (40) hours of unused Annual Leave based on their regular rate of pay. The ability to cash-out Annual Leave in return for compensation is based on the following criteria:

- a. The employee used at least forty (40) hours during the previous year; and
- b. The employee will have a minimum balance of eighty (80) Annual Leave hours after the cash out.

Employees who terminate employment shall be paid in lump sum for all accrued Annual Leave earned by the effective date of termination.

Kin Care

Employees may use up to one-half of their yearly Annual Leave to attend to a child, parent, spouse, domestic partner, or domestic partner's child who is ill. For purposes of this leave, the following definitions apply:

Child – a biological, foster, or adopted child; stepchild; or a legal ward; or someone for whom the employee has accepted the duties and responsibilities of raising, even though not a legal child.

Parent – biological, foster, or adoptive parent; stepparent; or legal guardian.

Spouse – legal spouse according to the laws of California.

COMPENSATION

Philosophy

The City of Elk Grove's compensation philosophy complements its business strategies and objectives by providing a competitive compensation framework specifically designed to attract and retain a quality workforce. Demonstrated excellence will be rewarded with pay for performance to the extent possible.

The City of Elk Grove's compensation programs and practices shall comply with all relevant government regulations, meet business needs, and be reflective of appropriate market-based data.

The City of Elk Grove adheres to the doctrine of employment at-will. Current compensation levels and terms are not guaranteed and may be revised at any time, except where prohibited by law. The following compensation policies are meant to be guidelines only and in no way alter the at-will nature of the employment relationship or create an express or implied contract between an employee and the City of Elk Grove.

Title: **SALARY ADMINISTRATION**
Number: **C-1**

General

Starting salaries at or above mid-point must be approved by the City Manager prior to the offer of employment. All salary changes for staff must be approved by the Department Head, Human Resources and the City Manager.

Salary Guidelines

- a. Employees will be assigned to a salary at the minimum rate or within the salary range assigned to the classification in which he/she is being employed. When warranted, the City Manager may make adjustments in an employee's salary consistent with the adopted municipal budget.
- b. Employees are normally eligible for a salary adjustment after the completion of one (1) year of employment with the City, calculated from the date of hire or promotion. The adjustment will be made based upon the performance of the employee as recommended by the Department Head and approved by the City Manager.
- c. All rates shown are in full payment for services rendered, and cover full payment for the number of hours regularly worked in each classification.
- d. The wage and salary plan is based on a full-time employee working a forty (40-hour) workweek.
- e. Overtime:
 - 1) It is the policy of the City that overtime work be discouraged. Overtime work may be required of an employee, however, in an emergency or when required by the public interest.
 - 2) All overtime work must have the prior written approval of the direct supervisor or Department Head.
 - 3) Time worked over forty (40) hours in a workweek by non-exempt employees will be compensated at one and one-half times the employee's regular hourly rate of pay.
- f. Salary Upon Promotion, Demotion, Transfer, Reinstatement, Working Out-of-Class.
 - 1) Promotion: The salary increase received by an employee upon promotion will be determined by the City Manager.
 - 2) Demotion: The salary adjustment received when an employee is demoted shall be a minimum decrease of 5% or to the minimum of the new classification, whichever is lower. If the demotion follows a promotion within the past twelve (12) months, the amount of the

salary decrease shall equal the amount of the increase received at the time of the promotion.

- 3) Transfer: There may be no salary adjustment at the time of a transfer.
- 4) Reinstatement: The reinstated salary will be determined by the City Manager.
- 5) Working Out-of-Class: The salary increase received by an employee when working out-of-class will be determined by the City Manager based on the range of duties assigned.

Workweek/Work Hours

Full-time City employees are generally scheduled to work forty (40) hours in a workweek. Actual working hours will be determined on the basis of operational efficiency and employee preference. Working schedules are subject to the approval of the Department Head and the Human Resource Officer. The City Manager may prescribe hours of work.

Call-in Pay

Non-exempt employees will be paid a minimum of two (2) hours, or actual hours worked if more than two (2), when called in to work or to attend a meeting on a scheduled day off.

Stand-by Pay

Non-exempt employees who are required to remain on standby shall be paid a minimum of two (2) hours, or actual hours worked if more than two (2) hours.

Work Hour Reduction

Non-exempt employees may be sent home prior to the end of their normal shift and paid only for actual hours worked.

Voluntary Time Off

If an employee requests voluntary time off, the employee will be paid only for hours worked.

Recording of Hours

The City of Elk Grove reserves the right to determine how hours will be recorded.

Title: **BREAK/MEAL PERIODS**
Number: **C-2**

Meal Periods

The City of Elk Grove grants non-exempt employees a one (1) hour unpaid meal period for employees working an eight (8)-hour shift. If a meal period is less than thirty (30) minutes, or if an employee is required to remain at their post or to perform any job duties during this time, the meal period will be paid as hours worked. Breaks may not be accumulated and used as excused time off.

Break Periods

The City of Elk Grove grants non-exempt employees at least a fifteen (15)-minute break for each four (4) consecutive hours worked. The City of Elk Grove compensates employees for these breaks.

Title: **DISCRETIONARY BONUS**

Number: **C-3**

Exemplary performance by any employee may be recognized and rewarded with a discretionary cash award as part of the City's employment retention and development plan. The performance must clearly exceed normal job expectations and essential duties and will be reviewed on a case-by-case basis. A discretionary bonus nomination form must be completed and signed by a Department Head. The City Manager must approve all bonuses or individual employee recognition items of fifty dollars (\$50) or more. Recognition of less than \$50 is approved at the Department Head level.

Title: **BUSINESS TRAVEL/EXPENSE REPORTING**
Number: **C-4**

General

Employees traveling on City business must complete a Travel Authorization form and have it approved by their appropriate supervisor and Department Head prior to their trip.

The City of Elk Grove will pay for expenses related to business only. These expenses include necessary fees, transportation, and lodging for approved business expenses. Every effort should be made for economical accommodations. Department Heads approving Travel Authorizations should check to see that government rates and/or preferred seminar rates are utilized. Receipts are required for all reimbursed expenses. Travel the day before a meeting is not reimbursable if same day travel is workable. Likewise, any extra days used at the conclusion of trip are not authorized.

All eligible employees will be reimbursed for mileage incurred for business reasons at the current rate per mile.

The City of Elk Grove does not reimburse for fines, parking tickets, towing, impound fees, traffic violations, alcoholic beverages, personal entertainment, tobacco, and extravagant costs of any kind including in-room movies. Employees will be reimbursed for one (1) telephone call home for each day away from work. Employees are encouraged to use telephone credit cards.

Non-exempt employees will be paid for all business-related travel during normally scheduled work hours. If travel time exceeds normal work hours, the employee is paid for time actually spent traveling and working only. If this time is in excess of forty (40) hours in a workweek, overtime will be paid.

Expense Reports

Employee business expenses will be paid only after the submission of an expense report for legitimate business reasons and only with appropriate backup receipts.

A clearly documented business purpose must be reported on the expense report, and all individual expenditures must have a supporting receipt attached.

Approved expense reports and receipts must be submitted to Accounts Payable within thirty (30) days of the first date of incurred expense.

Title: **HOLIDAYS**
Number: **C-5**

General

The following days are recognized as paid holidays for all eligible employees:

New Year's Day	Columbus Day
Martin Luther King Jr. Day	Veterans Day
President's Day (Washington's Birthday)	Thanksgiving Day
Memorial Day	Day After Thanksgiving (Family Day)
4th of July (Independence Day)	Christmas Eve (4 hours)
Labor Day	Christmas Day
	New Year's Eve (4 hours)

Scheduling

Due to the nature of our business, eligible employees may not be able to take the holiday on the day it occurs, but may be given a substitute day off. If the holiday falls on an employee's scheduled day off, he/she may be given an additional day off with the approval of their supervisor. It is intended that all eligible employees receive holiday time off; however, the final decision for granting holiday time off rests with the supervisor/manager or Department Head, or their designee.

Holiday Timing

Holidays falling on Sunday shall be observed on the following Monday. Holidays falling on Saturday shall be observed on the preceding Friday unless this, too, is a holiday and then one (1) day sooner.

Generally, full-time employees, including those in their introductory period, shall receive eight (8) hours pay for these holidays. Employees who work less than forty (40) hours per week shall generally receive pay for these holidays commensurate with the percentage of hours worked based upon a forty (40)-hour workweek. Part-time employees who work less than thirty (30) hours per week are not eligible for these paid holidays. For questions regarding holiday compensation, please contact the Department Head.

If a holiday falls on an employee's regularly scheduled time off, the employee will be given an equivalent amount of time off to be scheduled with and approved by his/her supervisor before the end of the calendar year, unless approved for carryover by the City Manager. An employee must work both the regularly scheduled work day immediately prior to a holiday and the regularly scheduled work day immediately after that holiday in order to receive holiday pay.

Title: **SEVERANCE PAY**
Number: **C-6**

General

Severance is the granting of compensation for job loss.

Severance may be granted at the discretion of the City Manager for the following reasons:

- (1) Position elimination;
- (2) Downsizing;
- (3) Reorganization;
- (4) Early retirement or other business necessity;
- (5) Litigation; or
- (6) Consolidation.

Severance will be calculated as one week for each year of service or as determined by the City Manager.

Employees are not eligible for severance consideration if:

- Employment ends because of violation of the City of Elk Grove's Rules and Regulations.
- An employee voluntarily chooses to terminate his or her employment with the City of Elk Grove.
- An employee refuses to accept a comparable position due to position elimination, downsizing, consolidation, or reorganization.

Annual Leave

Annual Leave stops accruing on the termination date. Employees will receive pay for unused and accrued benefits at termination.

EMPLOYEE RELATIONS

General

It is the objective of the City of Elk Grove to provide its employees with a work environment that is free of encumbrances that might interfere with the ability of each employee to perform his/her respective job.

To accomplish this objective, the City of Elk Grove has established and will utilize an open door procedure designed to ensure views, concerns, and differences of opinion relating to the work situation can be heard and addressed in a timely manner.

In all situations, the City of Elk Grove may consider its commitment to diversity and equal employment opportunity.

The City of Elk Grove insists that each of its employees behave in a manner consistent with its commitment to consistent treatment and its belief in respect for the individual. Business relationships with both the public and private sectors should be above reproach and built on a foundation of trust to minimize bias and maximize consistent and legal business transactions.

This section is meant to be a guideline only and in no way alters the at-will nature of the employment relationship or creates an express or implied contract between an employee and the City of Elk Grove.

Title: **DISCIPLINARY PROCESS**
Number: **E-1**

General

Performance, conduct and other situations are not all alike and it must be recognized that there is not a single standard for all disciplinary actions; progressive discipline, therefore, is neither required nor appropriate in every situation. The City retains the ability to discipline employees when it determines that such discipline is warranted. The City may exercise its discretion to administer a progressive discipline in cases where it deems appropriate to do so. Progressive discipline, however, is not in any circumstance mandatory. The City of Elk Grove retains the right to deviate from any formal system of discipline. As such, an employee may be disciplined without progressive discipline, and discharged with or without cause. Further, it must be emphasized that discipline is a two-fold process for the City of Elk Grove: (1) to correct performance, conduct, or other issue(s); and/or (2) to document substandard performance and/or conduct. This policy pertains to matters of conduct as well as employees' competence to perform their assigned tasks.

Employees in a supervisory capacity may follow the procedure outlined below. There may be particular situations, however, in which one or more steps in the procedure may be omitted. The Department Head and Human Resources Officer should be consulted prior to omitting a step.

Employee Conduct

It is expected that all City employees shall render the best possible service and reflect credit on the City; therefore, high standards of performance and conduct are essential.

Improper Employee Conduct

The term "improper conduct" means not only any improper action by an employee in the employee's official capacity, but also conduct by an employee not connected with the employee's official duties which brings discredit to the City, or which affects the employee's ability to perform his/her duties or any improper use of the position for the employee's personal advantage. Policy No. P-4, Standards of Conduct, further enumerates prohibited, improper conduct. Improper conduct may result in disciplinary action. The extent of the disciplinary action taken shall be commensurate with the offense. The employment history of the employee, however, may also be considered pertinent. In addition to the above statements, improper conduct includes, but is not limited to, the following:

- a. Violation of the Personnel Ordinance, these Rules and Regulations, including its Standards of Conduct and Code of Ethics, or other City policies;
- b. Violation of any department rules or policies;

- c. Any act of insubordination, any act detrimental to the public service of the City, or any violation of any City departmental policy;
- d. Refusal or inability to comply with the duties of the position occupied by the employee.

Progressive Discipline Procedure

The City of Elk Grove may use a system of progressive discipline. Disciplinary actions may range from an informal conversation with an employee to, in the most serious cases, termination. The actions identified below reflect a logical progression from the least serious to the most serious. While supervisors are encouraged to use this progressive approach to discipline in most circumstances, serious infractions of discipline standards call for appropriate responses. Counselings, warnings, and reprimands, or any other step of the progressive discipline process may be bypassed if the employee's action warrants a more severe response. An employee will not be suspended or terminated without prior authorization of the City Manager and/or the Assistant City Manager.

Informal Actions - Consist of discussions, coaching, and counseling intended as a mutual exchange of ideas between a supervisor and a subordinate. The intention is to provide direction, clarification, or explanation of duties, standards, policies, rules, and guidance with respect to performance and/or behavior. Informal actions should be documented and become part of the personnel file.

Formal Actions - Formal actions are taken when either the employee did not respond to the informal actions or the nature of the problem requires a more directed response from management. Formal actions become part of the employee's personnel file.

Process for Formal Actions

1. Oral Reprimand – A formal discussion with an employee about performance, conduct, or other issue/concern(s).

Employees may be counseled once verbally before receiving a written warning, unless circumstances dictate more severe discipline. The manager will summarize this oral action with documentation concerning the conversation. This document is placed in the employee's personnel file and a copy is given to the employee.

2. Written Reprimand – A written document presented to an employee regarding performance, conduct or other issue/concern(s).

In the event of another performance problem or violation of any of the City's policies, rules, or regulations, a written warning may be issued. A copy of the warning will be provided to the employee and a copy placed in the employee's personnel file.

3. Final Written Reprimand – This written document will be presented to an employee regarding performance, conduct or other issue/concern(s) after previous

discipline has proved to be ineffective. The final written reprimand may include the following disciplinary actions:

- a. **Suspension** – Involuntary absence without pay for a specified period. Generally, when a suspension is for disciplinary purposes, it is without pay. There may be occasions where suspension may be imposed with pay, such as when an employee is suspended with pay pending the results of an administrative investigation, or “with or without pay” depending on the ultimate findings. Management employees designated as FLSA exempt may not be suspended for less than five (5) days or as the Act provides. No suspension will exceed thirty (30) days.
 - b. **Salary Reduction** – A reduction in pay from the employee’s current level within a pay range to any lower level within that same range.
 - c. **Demotion** – Reduction from a position in one classification to a position in another classification having a lower salary range allocation.
4. **Termination** – the involuntary separation of an employee from employment with the City.

The final step in the discipline process is termination. This course of action is taken when all previous disciplinary action has failed to improve performance and/or behavior, or when a particular offense, or combination of related or unrelated offenses, warrants such action. As stated previously, however, the City of Elk Grove may terminate an employee without prior discipline or cause.

Any or all of the foregoing steps of progressive discipline may be utilized, depending upon the nature of the problem being addressed. Exceptions to or deviations from the normal process may occur whenever the City deems it appropriate.

Documentation of Informal/Formal Actions

Whether the action taken is informal or formal, the following documentation is required:

- a. Current date;
- b. A statement of behavior, problem(s), and/or issues(s);
- c. The policy, procedure or rule that was violated;
- d. A summary of prior counseling or disciplinary actions on this conduct and any meeting held with the employee;
- e. A statement of the discipline being administered (verbal, written, etc.);
- f. Required change; and
- g. Statement regarding what will happen next if issue is not resolved.

Termination Entry/Notice of Unsatisfactory Performance/Misconduct

When poor performance or infractions result in termination, a termination entry on a Personnel Change Notice, accompanied by the appropriate documentation will be sent to Human Resources to be placed in the employee's personnel file.

Fitness For Duty

When, in the judgment of the supervisor/manager and Department Head, an employee's condition appears to adversely affect the employee's job-related performance, the City Manager may order the employee to undergo confidential medical (physical or psychological) examinations or skill tests to determine fitness for duty.

Medical examination(s) will be arranged and conducted at the City of Elk Grove's expense by independent professional personnel of the City of Elk Grove's choosing. Tests may be conducted by the City of Elk Grove staff or the City of Elk Grove-designated personnel and will be of a nature that can establish the employee's capacity to maintain acceptable standards of work.

Upon completion of the examinations and/or other tests, the Department Head shall review the confidential results with the supervisor/manager and Human Resources. After consulting with the employee, the Department Head will make a written recommendation to the City Manager. The recommendation may involve any of the following actions: no change in employment status, reassignment, leave of absence, continued employment or termination. A reassignment or discharge due to a finding of unfitness for duty must be authorized by the City Manager.

Refusal of an employee to submit to examinations or other tests as ordered by the City Manager may be cause for discipline up to and including termination.

Title: **GRIEVANCES**

Number: **E-2**

The City of Elk Grove does not utilize a formal grievance procedure, however, the City is interested in fostering an environment in which employees are able to express their concerns or issues regarding their employment with the City. The City has an open door policy and encourages its employees to share their views, concerns, and differences of opinion relating to their employment.

Employees should contact their immediate supervisor or Human Resources to report or discuss work-related issues. Issues brought to the attention of a supervisor should respond within three (3) working days.

Title: **NO SMOKING**

Number: **E-3**

General

The City of Elk Grove is dedicated to providing a safe and healthy work environment for all employees. Given the documented harmful effects of smoking and the potential hazards of “passive” smoke, the City will be smoke-free in all of its facilities. Provisions may be made for designated outdoor smoking areas.

Title: **REASSIGNMENT**
Number: **E-4**

General

The City reserves the right to reassign employees based upon the needs of the City of Elk Grove. A reasonable attempt will be made to place employees into vacant positions without the need to decrease pay and/or other benefits.

Title: **TERMINATION OF EMPLOYMENT**
Number: **E-5**

Discharge

Pursuant to the City's policy, an employee may be terminated at any time during the introductory period and as defined in the discipline process.

Resignation

An employee wishing to leave City employment in good standing shall file a written resignation with his/her Department Head stating the effective date of the resignation at least two (2) weeks prior to the last day of work. Such time limit may be waived by the Department Head if the employee furnishes evidence that such notice would result in unreasonable hardship or loss of opportunity. Failure to give notice as required by this Rule may be cause for denying future employment by the City. An exit interview may be conducted by the Human Resources Officer or designee.

Layoff

An employee may be laid off because of either the abolishment of his/her position or a determination by the City that there is a shortage of work or funds. The City Manager shall determine when and in what position classification layoffs are to occur. An employee holding a position that is abolished or for which there is a shortage of work or funds may be laid off without the right of appeal.

The order of layoff of employees shall be established by the Human Resources Officer on the recommendation of the Department Head involved. The Department Head shall take into consideration the job performance and length of employment of employees in preparing a recommended layoff list, provided that no employee shall be laid off from his/her position in any department while any emergency or temporary employee is serving in the same classification within the department. The City shall attempt to give employees to be laid off at least fourteen (14) days' prior notice.

GENERAL

The policies reflected in this section cover various areas. The following general policies are meant to be guidelines only and in no way alter the at-will nature of the employment relationship or create an express or implied contract between an employee and the City of Elk Grove.

Title: **ANTI-VIOLENCE**
Number: **G-1**

General

The City of Elk Grove's goal is to maintain a work environment free from intimidation, threats, or violent acts, including, but not limited to: intimidating, threatening or hostile behavior, physical/verbal abuse, vandalism, arson, sabotage, use of weapons, carrying weapons on the premises, or any other act that in the City of Elk Grove's opinion, is inappropriate to the workplace. In addition, offensive comments regarding violent events and/or behavior will not be tolerated.

Process

Any suspect behavior should be immediately reported to a representative of management or Human Resources. Based on the results of the inquiry, action will be taken, as the City of Elk Grove deems appropriate. The City will not tolerate retaliation against any employee who reports workplace violence. Employees should directly contact law enforcement personnel if they believe there is an imminent threat to the safety and health of employees or property.

Searches

If there is reasonable suspicion that an employee has engaged in any inappropriate conduct, management reserves the right to conduct, without notice, searches and inspections of employer-provided material/equipment on or in the City of Elk Grove property. This includes, but is not limited to, vehicles, e-mail, lockers, desks, personal computer files and file drawers. No employee may have an expectation of a right to privacy to any space on City premises or personal items on City premises.

Title: **CONFIDENTIAL MATERIAL/CONFIDENTIALITY**
Number: **G-2**

General

Supervisors and managers are responsible for confidential material entrusted to or routed through them. All employee work histories, employee or personnel records maintained by Human Resources, and information, memos of a confidential nature, etc., are to be maintained in a secure locked cabinet at all times when not in use. Supervisors are responsible for all books, reports and other confidential material in their care.

Confidentiality

Employees should refrain from discussing items related to internal meetings, work incidents, or other confidential information, with the public or other employees not directly involved with the information. Confidential information will be shared only with those on a need-to-know basis.

Title: **COPYRIGHTED SOFTWARE**
Number: **G-3**

General

It is an offense, under current copyright laws, to copy or reproduce any copyrighted software without the express permission of the copyright owner. Therefore, the City of Elk Grove employees are prohibited from copying or reproducing copyrighted software and associated documentation outside the proper and authorized use of software within the City's normal business without the express permission of the Director of Administrative Services or the Information Technology ("IT") representative.

Questions regarding the use of copyrighted software should be directed to IT. Purchase and installation of any software on the City of Elk Grove computers needs the approval of IT or the Director of Administrative Services. Illegal copying of computer software will not be tolerated and may result in disciplinary action up to and including termination.

Title: **DISTRIBUTION, SOLICITATION & VENDING**
Number: **G-4**

General

The City of Elk Grove will restrict solicitation and distribution of material on its premises by non-employees. Solicitation by employees of the City is not permitted during work time. Limited solicitation, distribution and vending by employees may be permitted during non-working hours. Prior written approval, however, must be obtained from the Assistant City Manager. Distribution, solicitation or vending is not permitted in work areas at any time, and is not permitted in non-work areas during the scheduled working hours of either the employee who is distributing, soliciting or vending or the employee who is the object of the activity. Employees may not solicit, distribute, or circulate for any purpose printed or written material in any work area at any time, except on matters directly related to the City of Elk Grove business.

Definitions

Distribution is the act of passing out handbills, circulars, petitions and other printed material.

Solicitation is the act of approaching a person with a request or plea.

Vending is the act of selling or attempting to sell goods, services or materials.

Scheduled Working Hours are those hours during which an employee is scheduled to be at work. Working hours do not include break periods, meal periods or the time before or after the employee's scheduled work period.

Title: **DRESS CODE**

Number: **G-5**

General

The work place should be conducive to productivity in an open, yet professional environment: one that maintains a professional image of the City at all times. All employees, therefore, are responsible for ensuring, and are expected to maintain, appropriate business attire throughout the organization.

Generally, conservative, professional dress appropriate for a business office is required. All City of Elk Grove employees must observe proper grooming and hygiene and will report for work in neat, appropriate business attire. Attire must be clean, pressed or wrinkle free, and without holes, rips or frayed areas. Examples of inappropriate attire include, but are not limited to, tight fitting, unduly revealing, or soiled clothing.

Casual business dress will be permitted if authorized as part of a City event. Casual business dress, however, must be clean, neat and professional.

Any employee who is deemed to be inappropriately dressed will be asked to return home to change into proper attire. Employees who are asked to leave because of inappropriate dress will not be compensated for any time spent going home or returning to work. Employees may be subject to discipline up to and including termination if they continually report to work inappropriately dressed.

This policy defines the minimum guidelines that will be enforced equally for all employees in all departments. Employees should check with their Department Head or supervisor for more formal or additional dress requirements that may be dictated by a specific assignment and/or interaction with the public.

Any questions regarding appropriate workplace attire should be directed to the employee's Department Manager, Supervisor, or Human Resources.

Title: **USE OF CITY PROPERTY**
Number: **G-6**

General

The City has established the following rules to govern use of electronic communications, e-mail, Internet and telephones.

A. ELECTRONIC COMMUNICATIONS, E-MAIL AND INTERNET

Electronic mail is intended for authorized City of Elk Grove business use only. This policy describes the City of Elk Grove guidelines regarding to access to and disclosure of electronic mail (e-mail) messages sent or received by City employees with use of the e-mail system.

The City of Elk Grove respects the individual privacy of its employees; however, employee privacy does not extend to the employee's work-related conduct or to the use of City-provided equipment or supplies.

Management's Right to Access Information

The City retains the right and ability to enforce this policy and to monitor compliance with its term. The e-mail system has been installed by the City of Elk Grove to facilitate business communications. Although each employee has an individual password to access this system, it belongs to the City of Elk Grove and the contents of e-mail communications are accessible at all times by the City of Elk Grove management. These systems may be subject to periodic unannounced inspections, and should be treated as other shared filing systems.

All e-mail messages are the City of Elk Grove records. The City of Elk Grove, without the employee's permission, may disclose the contents of e-mail. Therefore, not all messages are confidential. Backup copies of e-mail may be obtained and referenced for business and legal purposes.

Personal Use of Electronic Mail

Because the City of Elk Grove provides the e-mail system to assist employees in the performance of their job, employees should use it for official City of Elk Grove business. Incidental and occasional personal use of e-mail is permitted by the City but these messages will be treated the same as other messages. Examples of these types of messages would be e-mails announcing a department social event. The City of Elk Grove reserves the right to access and disclose as necessary all messages sent over its e-mail system, without regard to content.

Since employees' personal messages can be accessed by the City of Elk Grove management without prior notice, no employee should use e-mail to transmit any messages he/she would not want read by a third party. For example, no employee should use the City of Elk Grove e-mail for gossip, including information about yourself or others, for

forwarding messages under circumstances likely to embarrass the sender, or for emotional responses to business correspondence or work situations. Additionally, employees should not use these systems for purposes such as soliciting or proselytizing for commercial ventures, religious or personal causes, or outside organizations or other similar, non-job-related solicitations. If the City of Elk Grove discovers misuse of the e-mail system, an employee may be subject to disciplinary action up to and including termination.

Forbidden Content of Electronic Mail Communications

Employees may not use the City e-mail system in any way that may be seen as insulting, disruptive, offensive by other persons, or harmful to morale. Examples include sexually explicit messages, cartoons, or jokes; unwelcome propositions or love letters; ethnic or racial slurs; or any other message that can be construed as harassment or disparagement of others based on their sex, race, sexual orientation, age, national origin, or religious or political beliefs.

Password and Encryption Key Security and Integrity

Employees are prohibited from the unauthorized use of the passwords and encryption keys of other employees to gain access to another employee's e-mail messages.

B. INTERNET

The City of Elk Grove provides Internet access to eligible employees as a means to accomplish the work of the organization and to improve customer service to our community. Staff must use the Internet in a responsible manner to achieve the City of Elk Grove's goals.

The City of Elk Grove supports and encourages the exploration and use of resources that increase employee productivity. The Internet is such a resource. The City requires Internet users to demonstrate professional conduct and adhere to Internet protocols and guidelines. The City of Elk Grove employees must use good judgment in the use of the Internet and take personal responsibility for access points reached. This document defines responsibilities of staff that access the Internet through the City of Elk Grove accounts and resources.

1. Guidelines

Individual employees are responsible for their conduct as Internet users; the City of Elk Grove shall assume no liability or responsibility for, or defend an employee against, charges or claims resulting from any action that is found to be in violation of any part of this policy or the law.

The City of Elk Grove respects the individual privacy of its employees. However, employee privacy does not extend to the employee's work-related conduct or to the use of the City of Elk Grove provided equipment or supplies. The City of Elk Grove advises employees that no legitimate expectation of privacy can be asserted in their use of the

Internet. The City of Elk Grove reserves the right to review employee's computer files and/or monitor their Internet usage at any time.

2. Acceptable Use

- Use the City of Elk Grove Internet access to accomplish job responsibilities, which may include gathering information about work-related problems, communicating with other agencies and vendors on job-related problems or issues, and performing job-related research. Any purchases conducted over the Internet must comply with current purchasing guidelines;
- Share job-related information, discoveries and questions with co-workers;
- Use the Internet to learn its uses, practicing the various functions involved and finding innovative ways to use networked resources to improve the delivery of the City of Elk Grove services and streamline internal operations;
- Use of the Internet to gather information to maintain currency in a field of knowledge, to participate in professional associations and to communicate with colleagues in other organizations on job-related matters pertaining to the employee's job description or assigned tasks.

3. Prohibited Use

Employees are forbidden to misuse any Internet access privileges in ways that may include, but are not limited to:

- Unauthorized use of copyrighted material;
- Violating security procedures;
- The display of any kind of sexually explicit image or document on any of the City of Elk Grove systems, which is a violation of our policy on sexual harassment. In addition, sexually explicit material may not be archived, stored, distributed, edited or recorded using the City of Elk Grove network or computing resources;
- Threatening or obscene material is prohibited;
- Using the City of Elk Grove Internet access or equipment to benefit personal or financial interests;

- Using the Internet for unlawful activities or for activities that are malicious or have the effect of harassing other users;
- Distribution of material protected by trade secret;
- Attempting to gain access to computers or networks to which they do not have legitimate access, or violating the acceptable use policies of any network to which they connect;
- Improperly accessing, reading, copying, misappropriating, altering, misusing, or destroying the information/files of other users;
- Misrepresenting the City of Elk Grove programs or policies in their communications over the Internet;
- Sharing passwords with others, or allowing non-employees to have access to “staff-only” functions, resources or equipment;
- Installing or operating software that compromises computer security or introduces viruses into the City of Elk Grove systems;
- Operating a server program (one that provides information to client programs via the World Wide Web, FTE, e-mail, or other Internet functions) without prior clearance to ensure compliance with network design and security standards;
- Creating a public display of the City of Elk Grove information on the Internet, such as a department web page without prior approval of the Director of Administrative Services;
- Using the company’s Internet facilities to deliberately propagate any virus, worm, Trojan horse, or trap-door program code.

Security

- If an employee identifies a security problem, notify the IT department immediately;
- Do not reveal individual passwords or allow another person to use any personal account (the employee may be held responsible for all Internet activity associated with private passwords);
- Do not use another individual’s account;
- All PCs having Internet access must have virus shield software loaded and enabled;

- The City of Elk Grove may use software and data to identify inappropriate or sexually explicit Internet sites. Any employee connected accidentally to a site that contains sexually explicit or offensive material, must disconnect from that site immediately.

Vandalism/Harassment

Vandalism and/or harassment are not allowed:

- Vandalism is defined as any malicious attempt to harm or destroy data of another user, the Internet or other networks. This includes, but is not limited to, creating and/or uploading computer viruses;
- Harassment is defined as the persistent annoyance of another user or the interference of another user's work. This includes, but is not limited to, the sending of unwanted or offensive mail.

C. TELEPHONES

The City of Elk Grove telephone usage for personal calls should be kept to a minimum, and should be made during lunch hours or authorized breaks. If it is necessary to make or receive a call during working hours, such calls should be as brief as possible. Personal telephone calls or faxes that incur either message unit charges or long distance toll charges must be repaid; this also applies to cellular phones, which are the City of Elk Grove property. If personal long distance calls are inadvertently charged to the City of Elk Grove, the employee will be given the opportunity to reimburse the City of Elk Grove.

Policy Violation

If a City of Elk Grove employee violates any of the acceptable use provisions of this policy, his/her account may be terminated and future access may be denied. Some violations may also constitute a criminal offense and may result in legal action. Any user violating these provisions, or applicable state or federal laws, is subject to loss of access privileges and other City of Elk Grove disciplinary action up to and including termination.

D. INSPECTIONS

The City reserves the right to inspect any City property.

Title: **EMPLOYMENT OF RELATIVES**

Number: **G-7**

General

If the City of Elk Grove employs family members, one may not directly supervise the other. If the employees are unable to develop a workable solution, the City of Elk Grove will decide which employee may be transferred in such situations.

Definition

Family members include, but are not limited to the employee's spouse, child, parent, parent-in-law, step-parent, domestic partner, brother, sister, brother-in-law, sister-in-law, daughter or son of the employee's spouse or domestic partner, and any relative living in the household of the employee.

Other

When two (2) employees marry or become related and are in conflict with this policy, they must decide who will seek an alternative position. If they are unable to reach a decision or find a position within three (3) months, the City of Elk Grove will make the determination. Managers should review these instances with their Department Head and the Human Resources department before taking any action. The City Manager will have authority to immediately change reporting assignments for employees to prevent conflict of interest and for the benefit of the City of Elk Grove.

Employees are required to inform their supervisors of any change in marital status, address, telephone numbers, etc.

Title: **HIRING PROCESS**
Number: **G-8**

Announcement of Vacancy

Prior to filling any vacancy for a full-time position or other position designated as management, the Department Head shall submit a job announcement to the City Manager that summarizes the duties and responsibilities of the position and the knowledge, skills, qualifications, and attributes required.

All vacancies in full-time or management positions, except Department Heads, shall be posted by the Human Resources Manager. If the City Manager determines that sufficient candidates exist within the City, the City Manager may limit eligibility for the position to current City employees. If there are not sufficient candidates within the City of Elk Grove workforce, then recruitment shall include external advertisement. The City Manager may fill a position without posting if determined to be in the best interests of the City. A Department Head need not post for interdepartmental promotions.

Applications

All applications must be submitted to Human Resources at the City of Elk Grove's Administration building so that they may be entered into the Applicant Tracking system and routed to the appropriate departments. Human Resources will keep job applications on file for one (1) year unless the eligibility list is extended by Human Resources Officer.

Unsolicited Applications

Any person desiring employment within the City of Elk Grove may complete an application for employment and place it on file with Human Resources. Such applications will be considered in filling vacancies for a period of one (1) year from the date of filing. Applications that specify an interest in a seasonal operation or position will only be considered for employment during the current or upcoming season. All applicants will be considered based upon their experience and essential skills as they relate to the position in consideration.

Interviewing Expenses

The City Manager may approve certain reasonable expenses for final applicants. Expenses may not be paid to an applicant who is offered the position and declines.

Disqualification of Applicants

Reasons applicants may be disqualified from consideration for employment include, but are not limited to:

- They are not eligible to apply for the position;

- They do not possess the minimum qualifications and essential skills for the position;
- They are not physically or mentally fit to perform the duties or assume the responsibilities of the position and reasonable accommodation cannot be made;
- They have demonstrated an unsatisfactory employment record;
- They have made false statements or misrepresentations on their application or in their interview; or
- They violate the City of Elk Grove employment of relatives policy.

Background Checks

The City of Elk Grove may conduct the following background checks:

- A determination if applicant was a former the City of Elk Grove employee;
- Past employment verification (to include a review of the candidate's past City of Elk Grove employment record, if any, and consultation with the candidate's former City of Elk Grove supervisors/managers);
- Education verification (degree, professional license, etc.) credit report, driving record, military record or criminal record; and
- Fingerprint criminal background check utilizing the Department of Justice.

Employment verification can be accomplished either by telephone or in writing. If the prior employment cannot be verified, the hiring authority should discuss the situation with their manager or Department Head and determine whether it is reasonable to proceed with the hire. After an offer of employment is made, the offer is contingent upon full completion of and acceptable results from the background check.

Medical Examination/Drug Screen

Where positions require a medical examination after an offer of employment is made, the offer is contingent upon full completion of and acceptable results from all medical examinations as required or tests that determine the fitness of the employee to perform the duties and responsibilities of the position. Any such examination or test, which is solely conducted for the purpose of determining fitness for duty, will be paid by the City of Elk Grove. All such examinations or tests will be performed by an independent professional approved by the City of Elk Grove. The successful completion of a drug screen is also a

condition of employment and a positive drug screen is sufficient to rescind an offer of employment.

Moving Expenses

The City Manager may approve certain reasonable and actual moving expenses for any position.

Offer Letter

Offers of employment for all regular full-time/year-round and seasonal management positions must be approved by the Department Head, Human Resources and the City Manager, using the City of Elk Grove standard offer letter format.

Offers of employment for all positions must be approved via the Personnel Requisition form.

Other Conditions

All offers of employment and continued employment are conditioned on the applicant furnishing satisfactory evidence of identity and legal authority to work in the United States. Each applicant must attest to his/her identity and legal authority to work in accordance with the applicable federal statute by completing and signing INS Form I-9 (Employment Eligibility Verification). Depending on the position, offers of employment may also be contingent upon passing a physical examination, background check, submitting documentation of qualifications, and/or obtaining job-required licenses.

Failure to Appear for Work

If an applicant fails to report for work within the time period prescribed by the City of Elk Grove, the applicant may be deemed to have declined the position.

Title: **ORIENTATION**
Number: **G-9**

General

Each new employee will go through an orientation process for the purpose of becoming familiar with the City of Elk Grove, its philosophy, personnel policies, rules and regulations, procedures, compensation, duties, responsibilities accompanying employment, and the Community.

Title: **INDEPENDENT CONTRACTORS**
Number: **G-10**

General

The determination of whether an individual qualifies as an independent contractor depends upon whether the supervisor has the right to control and direct the worker, not only as to the result to be accomplished, but also as to the details and means by which that result is accomplished. Failure to properly classify independent contractors can result in a violation of certain tax laws. Department Heads have the authority to hire contractors but must ensure that the Human Resource's department is informed of the hire.

The following guidelines help determine whether or not an individual meets the government definition of an independent contractor or consultant. If a person does not meet these requirements, other staffing alternatives should be utilized. For further clarification, contact Human Resources.

A person may be considered to be an independent contractor or consultant if he/she:

- Has business cards or stationery identifying his/her business;
- Has an actual office away from the City of Elk Grove;
- Needs no training or supervision to perform the assignment;
- Is being paid on a per-job basis;
- Is a professional with a specialized degree/license;
- Can "come and go" from the City of Elk Grove at his/her will;
- Pays for his/her own incidental expenses;
- Cannot be terminated "at-will" but is on a contractual relationship with the City of Elk Grove;
- Has other clients;
- Could be sued by the City of Elk Grove for breach of contract if he/she were to leave the job without completion;
- Brings his/her own tools to the job;
- Does not receive such employee-related items as handbooks, work rules, company publications, employee benefits or insurance, etc.; or
- Performs duties and conditions consistent with a signed City of Elk Grove Consulting Agreement.

Title: **OUTSIDE EMPLOYMENT**
Number: **G-11**

General

In order to maintain a workforce that is fit and available to provide proper services and carry out functions of the City, employees are restricted from engaging in outside employment if it conflicts with the City of Elk Grove's employment.

Conflicting Employment

Outside employment is considered to conflict with the City of Elk Grove employment if it:

1. Interferes with the employee's ability to perform his/her assigned job;
2. Prevents the employee's availability for work beyond normal working hours, such as emergencies or peak work periods, when such availability is a regular part of the employee's job;
3. Is conducted during the employee's work hours; or
4. Requires the services of other employees during their normally scheduled work hours.

If it is determined that outside employment is detrimental to the City, the employee will be asked to terminate the outside employment or terminate employment with the City.

Title: **POLITICAL ACTIVITIES**
Number: **G-12**

General

Except as otherwise provided, or as necessary to meet requirements of state and federal law as it pertains to a particular employee or employees, no restriction shall be placed on the political activities of any officer or employee of the City of Elk Grove.

However, the following political activities or enterprises are prohibited:

- Employees of the City shall not use their position to influence any vote or other political activity with the City, except as an inherent part of the employee's official duties or in connection with such prescribed duties;
- Knowingly soliciting political funds, directly or indirectly, or contributions from other officers or employees of the City of Elk Grove or from persons on the employment lists of the City of Elk Grove. Nothing in this section prohibits an employee from communicating through the mail or by other means request for political funds or contributions to a significant segment of the public which may include officers or employees of the City of Elk Grove;
- The dissemination of political material of any kind while on duty and/or during working hours and/or while in uniform;
- Conducting political activities during working hours on City premises, or using any City property for political purposes;
- Running for elective office if principal employment is in connection with an activity which is financed in whole or in part by loans or grants made by the federal government, unless the office is nonpartisan.

Nothing prevents an officer or employee of the City of Elk Grove from soliciting or receiving political funds or contributions to promote the passage or defeat of a ballot measure that would affect the rate of pay, hours of work, retirement, or other working conditions of officers or employees of the City of Elk Grove. Violation of any of the foregoing may result in disciplinary action up to and including termination.

Title: **TRANSFER REQUESTS**
Number: **G-13**

General

Generally, the decision for allowing a transfer will be made by the employee's Department Head. Any employee who is not under disciplinary action is eligible to apply for a transfer. No employee may seek a transfer if he/she has completed an extensive training in the last six (6) months without specific approval of the City Manager.

A Request for Transfer from an employee who has completed his/her introductory period, who has maintained successful performance and attitude, and who meets the qualifications of the position may be approved subject to an available position. If there is any question regarding qualification, the employee's supervisor should contact the Department Head for clarification of qualification. After reviewing the employee's qualifications, the Department Head will decide whether an interview will be granted. Approved Requests for Transfer must be signed by the employee's supervisor or by a manager in authority.

LEGAL

It is the policy of the City of Elk Grove to comply with all local, state and federal statutes and laws. The City expects its employees to conduct themselves in a manner above reproach. The following legal policies are meant to be guidelines only and in no way alter the at-will nature of the employment relationship or create an express or implied contract between an employee and the City of Elk Grove.

Title: **EQUAL EMPLOYMENT OPPORTUNITY**
Number: **L-1**

General

It is the policy of the City of Elk Grove to:

1. Recruit, hire, train, and promote for all job classifications without regard to race, color, religion, age, sex, sexual orientation, national origin, ancestry, or disability, as well as to ensure that all personnel actions such as compensation, benefits, transfers, layoffs, return from layoffs, the City of Elk Grove-sponsored training, social, and recreation programs will be administered according to the City of Elk Grove's policy.
2. Provide reasonable accommodation wherever necessary for all employees and applicants with disabilities, provided that the individual is otherwise qualified to safely perform the job duties and that such accommodation can reasonably be made.
3. Hold all levels of management responsible for ensuring that personnel policies, guidelines, practices, procedures, and activities are in compliance with federal and state Equal Employment Opportunity (EEO) statutes, rules, and regulations.

Equal Employment Opportunity Officer Designated

The primary equal employment opportunity responsibilities rest with the Human Resources Officer. He/she also has the responsibility of the Americans with Disabilities Act (ADA).

Process

Employees or applicants who believe they are being discriminated against because of their race, color, religion, age, sex, sexual orientation, national origin, ancestry, or disability, as well as those who believe they have witnessed another employee being discriminated against, are strongly urged to bring the situation to the attention of management.

Employee Responsibilities

Employees who believe they are being discriminated against, or have witnessed another employee being discriminated against, should take action immediately by reporting the conduct as soon as possible to the supervisor or manager with whom the employee feels they can speak, or with the City of Elk Grove's Human Resources Manager. Applicants are encouraged to contact the Human Resources Manager.

Supervisor/Manager Responsibilities

Supervisors or managers shall immediately report all allegations or complaints of discrimination or observations of such conduct to the Human Resource Manager, regardless of how the Department Head or supervisor learned of the alleged conduct, and whether the employee involved is in the supervisor's or manager's department. A supervisor's or manager's failure to immediately report such activities, complaints, or allegations may result in discipline up to and including termination.

Investigation

All allegations or complaints of discrimination will be promptly investigated. All investigations will be confidential. Information obtained will be released only on a need-to-know basis or as required by law. All employees questioned as part of an investigation will not discuss the matter with others, with the exception of providing information to regulatory agencies. The City of Elk Grove treats all allegations or complaints of discrimination seriously and all employees are expected to be candid and truthful during the investigation process. If evidence arises that a participant in the investigation has made intentionally false statements, the employee may be disciplined up to and including termination.

If it is determined that discrimination has occurred, the City of Elk Grove will take remedial action commensurate with the severity of the offense. This remedial action may include, but is not limited to, verbal and/or written warning, counseling, transfers, suspension without pay, and/or termination. Action will also be taken to deter any future discrimination.

Prohibition Against Retaliation

The City of Elk Grove will not tolerate any retaliation by management or any other employee against an employee who exercises his/her rights under this policy. Any employee who believes she/he is being retaliated or discriminated against in any manner whatsoever as a result of having filed a complaint should immediately notify the Human Resources Manager.

Title: **AMERICANS WITH DISABILITIES ACT**
Number: **L-2**

General

Under Title I of the Americans with Disabilities Act of 1990 (ADA), no local government shall discriminate against a qualified individual with a disability because of the disability of such individual in regard to job application procedures, the hiring, advancement or discharge of employees, employee compensation, job training, and other terms, conditions and privileges of employment. In addition, Title II of the Act requires an agency to make its programs, services and activities accessible to the disabled in all cases, except where to do so would result in a fundamental alteration of the nature of the program, service or activity or cause undue financial and administrative burdens. The City of Elk Grove does not discriminate in any of its programs, services or activities based on disability.

Americans with Disabilities

The City of Elk Grove complies with the Americans with Disabilities Act and provides equal opportunity to all qualified applicants and employees.

If an applicant meets the qualifications established for a position with the City of Elk Grove and can perform the essential functions of the job with or without reasonable accommodations, the applicant will be considered for employment.

If an applicant with a disability informs Human Resources that he/she would need an accommodation to participate in the application process, or to perform the essential functions of the job, or to otherwise receive equal benefits and privileges of employment, Human Resources will document the requested accommodation. If a qualified individual with a disability discusses the need for an accommodation with a manager/supervisor, the manager/supervisor must notify Human Resources of the information. The manager, Department Head and Human Resources will either adopt the requested accommodation, propose another reasonable accommodation, or make the determination that a reasonable accommodation does not exist.

Throughout the process, the City of Elk Grove will use a problem-solving approach in order to identify and implement an accommodation that is most appropriate for the employer and the employee.

Whenever an applicant with a known disability has been interviewed, supervisors/managers will make a hiring decision and complete proper documentation (i.e. documentation of why one candidate was selected over another with previous related experience, skill level, education, etc.).

If any information regarding an applicant's medical condition or history is acquired as a result of the accommodation process, such information shall be maintained in separate medical files and treated as confidential medical records, except that supervisors and managers may be informed regarding necessary restrictions and/or accommodations.

Title: **HARASSMENT PREVENTION**
Number: **L-3**

General

The City of Elk Grove is committed to a workplace free of discrimination and harassment. It is the policy of the City to prohibit harassment based upon race, color, religion, age, sex, veteran status, marital status, family care status, disability, medical condition, national origin, ancestry, sexual orientation, and any other basis made unlawful by any applicable law, ordinance, or regulation. This policy includes same sex harassment.

Scope

This policy applies to all persons involved in the operations of the City of Elk Grove and prohibits such harassment by any employee, including supervisors and coworkers, any customer or client of the City of Elk Grove, and any vendor or other service provider at any the City of Elk Grove's facility.

Definition

Sexual harassment includes, but is not limited to, any unwelcome or unwanted sexual advance, requests for sexual favors, and other verbal or physical conduct of a sexual nature where:

- Submission to the conduct is made either an explicit or implicit condition of employment; or
- Submission to or rejection of the request is used as a basis for an employment decision affecting the harassed employee; or
- Any verbal or physical conduct of a sexual nature that substantially interferes with an employee's work performance or creates an intimidating, hostile or offensive work environment which includes but is not limited to, the use of sexual epithets or references to physical characteristics.

Conduct

Conduct that is determined to be unwanted and unwelcome, including sexual harassment, is inappropriate, offensive, and will not be tolerated by the City of Elk Grove. Examples of harassment include, but are not limited to, the unwanted and unwelcome acts as follows:

- 1) Verbal conduct such as epithets, derogatory comments, slurs, jokes, or unwanted sexual advances, invitations, or comments;
- 2) Visual conduct such as derogatory posters, photography, cartoons, drawings, or gestures;

- 3) Physical conduct such as unwanted touching, blocking normal movement, or interfering with work directed at an employee because of the employee's gender or any other protected basis;
- 4) Threats and demands to submit to sexual requests in order to keep a job or avoid some other loss, and offers of job benefits in return for sexual favors;
- 5) Retaliation for opposing, reporting, or threatening to report harassment, or for participating in a harassment investigation, proceeding, or hearing.

Prohibited harassment that impairs an employee's working ability or directly impacts his/her emotional well being at work violates this policy and will not be tolerated.

Employee Responsibilities

Employees who believe they are being harassed because of their gender or other protected basis, as well as those who believe they have witnessed another employee being harassed, are strongly urged to bring the situation to the attention of management. Any employee who feels they are being harassed should take action immediately by:

- 1) Contacting Human Resources, the Department Head or the Assistant City Manager if the employee feels he/she is being harassed or if the person feels they have witnessed what is believed to be harassment of or by another employee(s). The employee should also identify the offensive behavior to the harasser and request that it stop. Note: No employee is required to talk directly to the harasser if he/she is uncomfortable in doing so; and
- 2) Reporting the conduct as soon as possible to a supervisor or manager with whom you feel you can talk about the problem, or to the Human Resources Department.

Supervisory/Manager Responsibilities

Supervisors or managers shall immediately report all complaints or allegations of harassment or observations of such conduct to the Human Resources Officer, regardless of how the supervisor or manager learned of the alleged incident, and whether or not the employee is in the supervisor's department or in some other department. Supervisors and managers shall take timely and reasonable affirmative action to protect employees from instances of harassment. Supervisors' or managers' failure to perform their responsibilities under this procedure will be subject to discipline up to and including termination.

Investigation

All complaints or allegations of illegal or sexual harassment will be promptly investigated. All investigations will be confidential to the extent possible and information obtained will be released only on a need-to-know basis or as required by law. The individual filing the complaint, as well as the individual against whom the complaint was made, will be made aware of the final determination. All employees questioned as part of an investigation will

be expected not to discuss the matter with others, with the exception of providing information to regulatory agencies. The City of Elk Grove treats all complaints or allegations of harassment seriously and all employees are expected to be candid and truthful during the investigation process. If evidence arises that a participant in the investigation has made intentionally false statements, the employee will be disciplined up to and including termination.

If it is determined that illegal harassment has occurred, the City of Elk Grove will take remedial action commensurate with the severity of the offense. This remedial action may include, but is not limited to, verbal and/or written reprimands, counseling, transfers, suspension without pay, and/or termination. Action will also be taken to deter any future harassment.

Title: **SUBSTANCE ABUSE**

Number: **L-4**

General

The City of Elk Grove has the responsibility to its employees and the public to ensure safe working conditions for its employees and a productive work force unimpaired by chemical substance abuse. The City of Elk Grove also has a responsibility, pursuant to the Drug Free Workplace Act of 1988, to create a drug-free workplace. To satisfy these responsibilities, the City of Elk Grove is to create and maintain a work environment free from the effects of illegal drugs, illegally or inappropriately used drugs, alcohol, or other performance-impairing substances.

The misuse of alcohol and other drugs impairs on-the-job employee performance, is detrimental to employee health, and jeopardizes employee safety, as well as the safety of the public. Accordingly, the City requires all employees to report to work fit to perform their jobs and prohibits the use or possession of alcohol or illegal drugs.

The City of Elk Grove is committed to maintaining a safe and healthy work place for all employees and to assisting those employees who self-identify that they have a problem with drugs or alcohol.

Prohibited Activity

No employee may use, possess, transfer, distribute, manufacture, or sell alcohol or any illegal drug while on City property, while on duty, while on on-call status, or while operating a vehicle or potentially dangerous equipment that is owned or leased by the City. In addition, no employee may report for work, or go or remain on duty or on on-call status, while under the influence of or impaired by alcohol, illegal drugs, or misused prescription or over-the-counter drugs.

Use of Prescription/Over-the-Counter Drugs

Legally prescribed medications or over-the-counter drugs are permitted only to the extent that the use of such medication does not adversely affect the employee's work ability, job performance, or the safety of the employee or others. It is the employee's responsibility to determine, by consulting a physician if necessary, whether or not a prescribed drug can impair job performance. An employee whose impairment may affect job performance must contact his/her supervisor and attempt to find an appropriate alternative assignment. If none is available, the employee will take Annual Leave or other steps consistent with the advice of a physician. If an employee reports to work under the influence of prescription medication in a manner inconsistent with this policy, the employee may be disciplined up to and including termination.

Reports of Drug or Alcohol Conviction

Each employee must report facts and circumstances of a conviction for violating any criminal drug or drunk driving statute to his/her Department Head no later than five (5)

days after the conviction. Revocation of a driver's license must be reported immediately. A criminal conviction for violation of a drug statute may lead to disciplinary action.

Employee Assistance Program (EAP)

Employees who suspect they may have a substance abuse problem should seek confidential evaluation and treatment. Employees should obtain counseling and rehabilitation from a substance abuse professional or other treatment provider. The City of Elk Grove medical benefit may pay some or all of the cost of the treatment for those employees covered by the benefit.

Any eligible employee who voluntarily requests confidential assistance in dealing with a personal drug and/or alcohol problem may do so through a private treatment program or the City of Elk Grove Employee Assistance Program for drug and alcohol problems. An employee who is under treatment for substance abuse in a recognized rehabilitation program shall be entitled to reasonable accommodation so long as the employee is conforming to the requirements of the program and is abstaining from the use of controlled substances and/or alcohol.

If an employee seeks drug treatment voluntarily and not under adverse employment circumstances, accrued Annual Leave benefits (if eligible) may be used while attending rehabilitation. After such accommodation, the discontinuation of any involvement with alcohol or drugs is required for continued employment.

Substance Abuse Evaluation upon Reasonable Suspicion

A supervisor/manager may require an employee, who they believe with reasonable suspicion to be under the influence of illegal drugs or alcohol while at work, to submit to an evaluation by substance abuse counselors or to testing for the presence of drugs or alcohol. Such testing or evaluation shall be done only under the condition and following the procedures outlined in this policy.

The City of Elk Grove may require an employee to participate in follow-up care as part of a comprehensive alcohol and drug treatment based upon medical advice.

Drug Testing upon Reasonable Suspicion

When a supervisor has a reasonable suspicion that an employee is under the influence of alcohol or drugs, the employee in question will be asked to submit to testing which may include saliva testing, breathalyzer, urinalysis, hair analysis or a combination of these testing methods, to determine involvement with alcohol or drugs. A positive result on a screening test must be confirmed.

Consequence of Refusal to Submit to Testing

An employee who refuses to submit to discovery testing for alcohol and/or drugs when reasonable suspicion exists will be subject to disciplinary action up to and including

termination. Employee assertion that lack of reasonable suspicion exists is not grounds to refuse to submit to a test.

Consequence of a Positive Test

An employee who is found to be under the influence of or impaired by alcohol or illegal drugs as a result of a test will be subject to disciplinary action up to and including termination.

Discipline Related to Abuse

If an evaluation is conducted which results in a recommendation for treatment, employment may (but is not required to) continue if the recommended treatment is immediately begun and successfully completed. However, disciplinary action will also be taken for any job performance or behavior, which would otherwise be cause for disciplinary action. Failure by the employee to enroll in the recommended treatment program, or to consistently comply with the program requirements, to complete it successfully, or to complete any continuing care program may result in immediate discharge from employment.

When an employee is required to undergo treatment under the policy, the following may be required of the employee as a condition of continued employment:

- The City of Elk Grove's verification of the employee's continuing participation in the treatment program; and/or
- Submission to random blood and/or urine screening for alcohol and/or drugs for a specific period of time not to exceed thirty-six (36) months from completion of all phases of a prescribed treatment program.

Confidentiality

All medical and rehabilitation records are confidential and may not be disclosed without the prior written consent of the patient, authorizing court order, or otherwise as permitted by state and federal law. Positive test results may only be disclosed to the employee, the appropriate medical and substance abuse treatment providers, the City of Elk Grove's attorney, the City of Elk Grove's representative responding to an alleged violation of this policy, and a court of law or administrative tribunal in any adverse personnel action. Test results and laboratory results shall not be placed in the employee's general personnel file. Information of this nature will be maintained in a separate confidential medical folder.

Title: **EMPLOYEE RECORDS**
Number: **L-5**

General

Human Resources are responsible for creating and maintaining the official record/file of each employee. The contents of all personnel records of the City of Elk Grove are confidential and shall be disclosed only in accordance with the procedures outlined in this policy.

The following information is a matter of public record and not held confidential:

1. The name of any present or past employee;
2. Position or positions, and associated job descriptions, held by any present or past employee;
3. The salary and other terms or limits of compensation paid or made available to any employee, including various forms of leaves, insurance, pensions, reimbursements, allowances, severance pay or other benefits;
4. Dates associated with the hire, termination, compensation, change in position, or change in employment status of any present or past employee;
5. Written executed employment agreements between the City of Elk Grove and any present or past employee; and
6. All records pertaining to the personnel system and classes of employees or positions in the aggregate, including but not limited to personnel policies, rules and regulations, job descriptions, salary ranges and collective bargaining agreements.

File Contents

The official personnel file includes, but is not limited to:

- a) Routine personal information related to employment. Examples include: employment application, resume, Personnel Action Notice, W-4, orientation checklists, workplace safety record, hiring test results and executed offer letters;
- b) Court, military or education information and certifications;
- c) The originals of the following documentation: written discipline, grievance filings, work history entries, commendations and performance appraisals; and
- d) Certifications, acknowledgments.

Employee Access

Employees may review their own personnel file at reasonable times and intervals and only in the presence of a representative from Human Resources. No material may be removed from the file. The Human Resources representative will make copies, if requested. Employee requests for adding material to the file must first be approved by Human Resources. An employee does not have access to information provided to the City of Elk Grove confidentially by a third party. This information includes, but is not limited to:

- a) Reference checks;
- b) Security clearance; and
- c) Information not generally accessible to the employee because it would invade the privacy of others, or because it involves an ongoing investigation concerning the employee.

Management Access to Personnel Records

The contents of a present or past employee's personnel file shall be available only, for the City of Elk Grove business reasons, to: (1) the employee's past, present or prospective immediate supervisor (when that supervisor is still currently a supervisory employee of the City of Elk Grove); and (2) any management personnel with a need to know, including the City Attorney.

The City Council Access to Personnel Records

The contents of an employee's personnel file, other than those pertaining to the City Manager, shall only be made available to the City Council upon an affirmative public vote of the majority of the City Council. The files will not leave the premises of the City of Elk Grove's Human Resources Department. The contents of the City Manager's personnel file shall be available to any member of the City Council upon request, but may not leave the premises of the City of Elk Grove's Human Resources Department.

External Access

Human Resources will allow access to an employee's personnel file by persons outside the City of Elk Grove when served by a valid subpoena, search warrant or other order having the force of the law, or with written consent of the employee. The employee will be notified of the request if properly served. Prior to release of any information, the City Attorney must be consulted.

Reference Checking

Release of employee's personal information is solely the responsibility of Human Resources.

All inquiries regarding verification of employment and/or reference checking must be routed to Human Resources.

When an employment or other type of claim or subpoena is filed, necessary information will be released as specified.

All personnel records contain information that may be sensitive or confidential. Any employee releasing such information without authorization will be subject to immediate disciplinary action up to and including termination.

Medical Records

Medical records are maintained separately and are not considered part of the employee's personnel file.

Title: **IMMIGRATION REFORM AND CONTROL ACT (IRCA)**
Number: **L-6**

General

All offers of employment are contingent on verification of the candidate's right to work in the United States. New employees will be asked to provide original documents verifying his/her right to work and, as required by federal law, to sign a Federal Form I-9 Employment Eligibility Form. If at any time an employee cannot verify his/her right to work in the United States, the City of Elk Grove may be obligated to terminate that employment.

The City of Elk Grove will fully comply with IRCA provisions, which govern the following:

- Recruitment and hiring – The City of Elk Grove will not knowingly hire an unauthorized alien. If the City of Elk Grove becomes aware of the hiring of an unauthorized alien on or after November 6, 1986, it may terminate that person in compliance with IRCA;
- Employment verification – All City of Elk Grove employees must provide original document(s) which establishes his/her identity and authorization to work in the U.S.;
- Record keeping – Records will be maintained by the City of Elk Grove throughout employment and for at least one (1) year after termination; and
- Non-discrimination – IRCA prohibits discrimination in recruitment, hiring or discharge. A preference clause is provided for U.S. citizens. The City of Elk Grove may give preference to an U.S. citizen over a person who is an alien, but only if the two (2) individuals are equally qualified.

Title: **SOLICITATION OF GIFTS**
Number: **L-7**

General

No employee of the City of Elk Grove shall solicit or accept gratuitous gifts, money, special considerations or non-monetary equivalents from members of the public, an organization, business, agency or club. These gifts should be respectfully declined and reported to the appropriate manager.

Those who fall under the City's Conflict of Interest Code are subject to gift limitations of the Political Reform Act.

PERFORMANCE, CONDUCT & CAREER DISCUSSIONS

The City of Elk Grove believes that all employees should receive an opportunity for mutual performance and career discussions with their supervisor. To that end, it is the goal of the City that each regular, full-time employee, or part-time employee working thirty (30) to thirty-nine (39) hours per week, should receive at least one (1) formal performance appraisal and career development discussion/review each year.

Frequency/Documentation

Generally, the frequency will be at least once every twelve (12) months. The performance evaluation and development discussion should be documented on the appropriate review form and signed by both parties.

Responsibility for Performance Review Process

It is the responsibility of the Human Resources Department to maintain performance records. Any additional information needed for the review (e.g., prior appraisals, job descriptions or information regarding career and development opportunities) may be viewed by managers upon request to Human Resources. Original copies of completed reviews will be maintained in the employee's personnel file.

The following performance and career objectives are meant to be guidelines only and in no way alter the at-will nature of the employment relationship or create an express or implied contract between an employee and the City of Elk Grove.

Title: **ABSENTEEISM/TARDINESS**
Number: **P-1**

General

Punctuality and attendance are expected of all employees. Frequent or unexplained absences or lateness in reporting to work cause inconvenience to fellow workers and customers and may result in the inefficient operation of the City of Elk Grove.

A problem in attendance may be treated as a performance issue. Progressive discipline may or may not be used. Employees may be subject to counseling and/or written reprimand. Attendance problems could result in discipline up to and including termination.

Pattern Absenteeism

A pattern of absenteeism is defined as recurring absenteeism in some definable pattern, e.g., the day before or day after holidays, payday, or other specific days of the week, (e.g., weekends). Should this occur, the supervisor may require that an employee bring a medical provider's release. The medical provider's release is subject to verification. Failing to provide the requested documentation may result in discipline.

Employee's Responsibility

It is the employee's responsibility to follow his/her department's procedure for notification if the employee is going to be absent or late to work. This notification must be given as far in advance as possible so a replacement can be scheduled.

Employees who are absent due to illness may be required to provide a statement from a medical provider, documenting the illness and releasing them to return to work. Supervisors may request a medical release whenever employees are absent. Employees are required to notify their supervisor each day they will be absent, except in cases where a Leave of Absence, vacation, or other absence has been approved in advance.

If an employee fails to follow the department's procedure for timely notification of absence or lateness, the absence is considered a no-call/no-show.

Supervisor's Responsibility

Supervisors shall establish and communicate a reporting system so each employee knows who to contact and what telephone number to call when an absence or lateness is necessary or anticipated.

Job Abandonment

a. No Call/No Show

One (1)-day “no call/no show” (defined as not appearing for a scheduled workday and not following the department’s call-in procedure) may result in discipline including termination with or without prior progressive discipline. The employee’s work record and the circumstances surrounding the no call/no show may be taken into consideration and discussed with the Department Head before any action is taken.

b. Walking Off the Job

An employee who leaves work without obtaining supervisory approval may be considered to have voluntarily abandoned his/her job and may be subject to discipline up to and including termination.

Title: **CODE OF ETHICS**
Number: **P-2**

General

A code of ethical standards is established to govern the conduct of the City of Elk Grove's employees:

1. An official or employee shall not seek or accept any gift, service, favor, employment, engagement, or economic opportunity, which would tend to influence a reasonable person in his/her position to depart from the faithful and impartial discharge of his/her public duties.
2. An employee shall not use his/her position with the City of Elk Grove to secure or grant unwarranted privilege, preferences, exemptions, or advantages for himself/herself, any member of his/her household, any business entity in which she/he has a significant pecuniary interest, or any other person.
3. An employee shall not participate as an agent of the City in the negotiation or execution of a contract between the City and any private business in which he/she has a significant pecuniary interest.
4. An employee shall not accept any salary, retainer, augmentation, expense, allowance, or other compensation from any private source for the performance of his/her duties as a City employee.
5. If an employee acquires, through his/her public duties or relationships, any information that by law or practice is not at the time available to people generally, he/she shall not use the information to further the pecuniary interests of himself/herself or any other person or business entity.
6. An employee shall not suppress any governmental report or other document because it might tend to affect his/her pecuniary interests.
7. An official or employee shall not use City time, property (including monies or funds), equipment, or other facility to benefit his/her personal or financial interest.
8. An employee shall not attempt to benefit his/her personal or financial interest(s) through the influence of a subordinate.
9. An employee shall not seek other employment or contracts through the use of his/her official position.
10. Employees shall maintain professional conduct at all times with co-workers, the public and other agencies, and avoid any conduct that may be detrimental to the City of Elk Grove.

11. An employee shall not in any manner, directly or indirectly, receive any commission, personal profit, or compensation of any kind resulting from any contract or other transaction in which the City of Elk Grove is in any way interested or affected except:
 - a. A member of the City Council or any commission, or similar body who is engaged in the profession, occupation, or business regulated by the City Council, commission, or body may, in the ordinary course of his/her business, bid on or enter into a contract with any governmental agency, provided that he/she has not taken part in developing the contract plans or specifications and he/she will not be personally involved in opening, considering or accepting offers.
 - b. A public employee, other than an employee described in a. (above), may bid on or enter into a contract with a governmental agency if the contracting process is controlled by rules of open competitive bidding, the sources of supply are limited, he/she has not taken part in developing the contract plans or specifications, and he/she will not be personally involved in opening, considering, or accepting offers.

Violations of the City of Elk Grove's Code of Ethics may result in disciplinary action including termination without progressive discipline.

Title: **PERFORMANCE MANAGEMENT**
Number: **P-3**

General

The City of Elk Grove performance management process is designed to be a formal, objective, consistent, and ongoing procedure to gauge each employee's on-the-job effectiveness by communicating to the employee, the objectives that must be achieved, and the standards of performance expected. Performance management is an ongoing process that focuses on continued future improvement. Nothing in the City of Elk Grove's performance management process alters the at-will employment relationship that exists between the City and its employees.

Purpose

The performance management process exists to ensure timely and periodic two-way communication between employees and supervisors regarding job performance. This process is designed to:

1. Clarify the City of Elk Grove's goals and link them to performance expectations;
2. Motivate employees through feedback;
3. Maximize employee potential;
4. Identify and resolve existing performance problems;
5. Document employee job behavior;
6. Help employees manage their performance;
7. Identify plans for continued and future improvement;
8. Provide ongoing opportunities for supervisors to coach and encourage personal development; and
9. Assist in planning by identifying high-performing or under-performing employees and identifying training and development needs.

Ongoing Performance Communication

It is the goal of the City of Elk Grove to manage and improve employee performance through ongoing communication between an employee and his/her supervisor regarding performance expectations and employee accomplishments. Periodic formal performance evaluations cannot take the place of ongoing communication. By providing an employee a performance appraisal, whether formal or informal, the City of Elk Grove does not create a contract or other right to continued employment.

Written Record

A written record of any formal evaluation process will be made by the supervisor on a Performance Appraisal form. All information in the written record shall be consistent with the information communicated verbally during the performance evaluation sessions. The completed form, along with any written comments submitted by the employee, shall be

placed in the employee's personnel file. The Performance Appraisal form will become a permanent record of the evaluation process.

The employee and the supervisor may make additional working notes of preparation activities and of any information that is exchanged during the performance appraisal meeting.

Employee Involvement

Employee participation in the performance appraisal process is encouraged. Opportunities for participation may include the following:

1. Discussions with the supervisor regarding performance;
2. An opportunity to have the employee's written comments on the supervisor's findings made part of any permanent record of the performance evaluation period;
3. Discussions with the supervisor regarding establishing performance expectations or goals for the next evaluation period; or
4. If requested by the employee, a discussion with the next level supervisor to review any disagreements over performance evaluation.

Procedure

The following actions are to be taken as part of the performance evaluation process:

1. Establish and communicate standards for the employee to meet;
2. Review any notes taken on employee performance since the last formal evaluation;
3. Completion of a Performance Appraisal form covering the employee's performance since the last formal evaluation;
4. Develop a preliminary list of expectations for the next evaluation period.
5. Meet with the employee and:
 - a. Provide a candid and complete description of how the employee performed discussing both the "whats" and "hows" of the employee's performance;
 - b. Jointly establish new performance goals and standards for the next performance evaluation cycle;
 - c. Obtain appropriate signatures and employee comments;
 - d. Review and discuss any areas of disagreement; and
6. Monitor performance, provide feedback, as well as coaching and counseling, throughout the evaluation cycle.

Frequency of Formal Performance Evaluations

Generally, formal performance appraisals will be conducted at least annually for full-time positions. Depending upon the length of the introductory period, performance evaluations may also be conducted at the midpoint and at the end of the introductory period.

In addition, supervisors may conduct formal evaluations at the following times:

- A. Six (6) months following transfer to a new position within the same class;
- B. When there is a significant change (either improvement or deterioration) in performance;
- C. Within three (3) months following a finding that the employee's performance needs substantial improvement (frequent, ongoing meetings with the supervisor are encouraged); or
- D. At any other, more frequent interval that the supervisor deems appropriate.

Responsibility for Performance Appraisal

Any person supervising another is responsible for completing a performance evaluation.

Title: **STANDARDS OF CONDUCT**
Number: **P-4**

General

The City of Elk Grove expects each employee to act in a mature and responsible manner at all times. Rules of conduct help everyone work together efficiently, effectively, and harmoniously. By accepting employment with the City of Elk Grove, the employee has a responsibility to the City of Elk Grove, and to other employees, to adhere to certain rules of behavior and conduct. The purpose of these rules is to be certain that each employee understands the minimal conduct expected. When each person is aware that she/he can fully depend upon fellow workers to follow the rules of conduct, the City of Elk Grove establishes a better place to work for everyone.

Unacceptable Activities

The following list does not include all types of conduct that can result in disciplinary action up to and including termination without progressive discipline. Nothing in this list alters the at-will nature of employment; either the employee or the City of Elk Grove may terminate the employment relationship with or without reason, and in the absence of any violation of these rules.

1. Violation of any of the City of Elk Grove rules, policies or procedures.
2. Violation of security or safety rules; failure to observe safety rules or the City of Elk Grove's safety practices; failure to wear required safety equipment; or tampering with the City of Elk Grove's equipment or safety equipment.
3. Negligence or any careless action that endangers the life or safety of another person.
4. Being intoxicated or under the influence of a controlled substance or alcohol while at work or the use, possession or sale of a controlled substance in any quantity while on the City of Elk Grove premises, except medications prescribed by a physician which do not impair work performance.
5. Unauthorized possession of dangerous firearms, weapons or explosives on the City of Elk Grove property or while on duty.
6. Engaging in criminal conduct, acts of violence, or making threats of violence toward anyone when representing the City of Elk Grove; fighting, or provoking a fight on the City of Elk Grove property; or negligent damage of property.
7. Refusing to obey instructions properly issued by a manager pertaining to work or refusal to assist where needed.
8. Threatening, intimidating, or coercing fellow employees on or off City premises at any time, for any purpose.
9. Engaging in an act of sabotage including causing the destruction or damage of property, or the property of fellow employees, customers, suppliers, or visitors in any manner.

10. Theft or unauthorized possession of the City of Elk Grove property or the property of fellow employees; unauthorized possession or removal of any the City of Elk Grove property, including documents, from the premises without prior permission from management; or unauthorized use of the City of Elk Grove equipment or property for personal reasons.
11. Dishonesty; falsification or misrepresentation on your application for employment or other work records.
12. Falsification or misrepresentation, including falsification by omission, of any document including on an application for employment, physical examination, questionnaire, time record or personnel record.
13. Spreading malicious gossip and/or rumors; engaging in behavior which creates discord and lack of harmony; interfering with another employee on the job; restricting work output; or encouraging others to do the same.
14. Conducting a lottery or gambling on the City of Elk Grove premises or while conducting business for the City.
15. Unsatisfactory or careless work or failure to meet production or quality standards.
16. Any act of discrimination or harassment, sexual, racial or other; telling sexist or racist jokes; or making racial or ethnic slurs, etc.
17. Leaving work before the end of a workday or not being ready to work at the start of a workday, without appropriate approval.
18. Sleeping during working hours.
19. Failure to report an absence or late arrival.
20. Excessive absence or lateness.
21. Obscene or abusive language toward any manager, employee or visitor; indifference or rudeness toward a visitor or fellow employee; or any disorderly/antagonistic conduct on the City of Elk Grove premises.
22. Soliciting during working hours and/or in working areas on the City of Elk Grove premises.
23. Violating any law of the United States, the State of California or the City of Elk Grove.

Title: **TRAINING AND CONTINUING EDUCATION**

Number: **P-5**

Seminar Attendance

The City of Elk Grove may provide financial assistance to attend a seminar offered by an external source. The employee must obtain authorization from his/her Department Head prior to attending the seminar. The seminar should offer:

1. Necessary training that will improve the employee's performance in his/her current position; and
2. Training needed for the employee's developmental needs.

Education Assistance

Full-time employees with a minimum of six (6) months of continuous employment with the City of Elk Grove who are earning a degree or finishing degree work that is job-related may be reimbursed (tuition only) for 80% of their tuition up to a maximum of \$4,000 for an undergraduate degree or \$6,000 for a graduate degree annually. An eligible employee interested in receiving reimbursement must obtain written approval from Human Resources and the Department Head prior to participating in such an educational program. Reimbursement is only made with a grade of "C" or better.

Eligible executive management staff may use up to \$5,000 per year in professional development funds to participate in conferences, classes, training and similar activities. The amount available to those eligible will be determined by the City Manager.

Courses must be taken at an accredited institution.

Non-Qualifying Classes

The City of Elk Grove will not reimburse for any class considered as a sport, game, or hobby-related (e.g., photography, gardening, etc.) However, if a course can be documented as part of a degree program (e.g., physical education requirement), the class may be eligible for reimbursement.

Audit Classes

Audit classes, unaccredited correspondence schools, entrance exam (SAT, ACT, GMAT, LSAT, GRE, etc.) and exam preparatory courses are not eligible for reimbursement unless approved by the City Manager.

Repayment

Employees voluntarily terminating their employment within twenty Four (24) months of receiving reimbursement under this program will be responsible for repaying the City of Elk Grove the full amount of the reimbursement received.

Title: **EMPLOYMENT STATUS**
Number: **P-6**

Assignments

Assignments to vacant positions with the City shall be in accordance with ability and fair employment practices. Assignments and promotions may be based on ability and fitness to be ascertained by selection techniques, which will test the qualifications of candidates. Examinations, such as written tests, personal interviews, performance tests, physical agility tests, evaluation of daily work performance, work samples, or any combination of these or other tests, may be used and conducted to aid in the selection of qualified employees. The introductory period shall be considered an extension of the examination process. Physical, medical and psychological tests may be given as part of the examination process. In any examination, the Human Resources Officer may include, in addition to competitive tests, a qualifying test or tests and set minimum standards thereof.

If sufficient qualified applicants exist at the conclusion of an examination process, the Human Resources Officer may establish an employment list from which to make future assignments. Employment lists shall remain in effect for six (6) months, unless exhausted or abolished by the Human Resources Officer. Such lists may be extended for additional periods prior to their expiration dates by action of the Human Resources Officer.

Exempt and Non-Exempt Employees

Employees shall be classified as either exempt or non-exempt.

Exempt employees are not covered by state and federal minimum wage and overtime laws and are paid on a salary basis. The City will protect an employee's exempt status as required by state and federal law.

Non-Exempt employees are those who are eligible for overtime in accordance with provisions of applicable wage and hour laws and are paid on an hourly basis. Pursuant to state and federal law, the City will honor its overtime pay obligations to non-exempt employees.

Introductory Period

Nothing in this section alters the at-will nature of the employment relationship between the City and an employee. The City of Elk Grove may terminate an employee at any time during the introductory period. All original and promotional assignments shall be tentative and subject to an introductory period of twelve (12) months of actual employment. The use of an introductory period does not create an implied or express contract for employment during or after said period.

a. Objective of Introductory Period

The introductory period shall be regarded as a part of the examination process. During this period, the employee's work performance shall be closely observed and evaluated to determine the capability of the new employee in his/her position. This period will also be a time to provide an effective orientation for the employee, educating him/her in prevailing management practices, policies and procedures, and training him/her in the tasks associated with the assignment.

b. Assignments Following Introductory Period

The Human Resources Officer shall notify the Department Head and the employee concerned at least two (2) weeks prior to the expiration of any introductory period. If the performance of the employee has been satisfactory to the Department Head, he/she shall file with the Human Resources Officer a statement in writing that such employee has successfully completed the period. If the performance of the employee has not been satisfactory to the Department Head, he/she shall file with the Human Resources Officer a statement in writing that such employee has not successfully completed the period and employment shall be terminated no later than the expiration of the introductory period.

Failure to file a performance report within the time period specified shall not be deemed to mean that the employee has successfully passed the introductory period.

c. Termination of an Introductory Period Employee

During the introductory period, an employee may be terminated at any time upon the recommendation of the Department Head and approval by the City Manager, without cause and without right of appeal. Notification of termination in writing shall be served on the employee and a copy filed with the Human Resources Officer.

d. Extension of Introductory Period

Upon recommendation from a Department Head and approval by the City Manager and Human Resources Officer, the introductory period may be extended for a period not to exceed six (6) months. Under no circumstances shall the period be extended more than six (6) months.

e. Failure to Successfully Complete Introductory Period Following Promotion

Any employee who has not successfully completed the introductory period following a promotional assignment shall be reinstated in the position from which he/she was promoted if a vacancy exists, unless he/she is discharged in the manner provided in these Rules. If no vacancy exists, the City may terminate the employee.

Transfer

No person shall be transferred to a position for which he/she does not possess the minimum qualifications. Upon recommendation by the Department Heads and approval of the City Manager and Human Resources Officer, an employee may be transferred at any time from one position to another position in a comparable classification. For transfer purposes, a comparable classification is one with the same or similar maximum salary, involves the performance of similar duties and/or requires substantially the same basic qualifications.

An employee who transfers to another position will serve an additional introductory period in the new position. If the employee is in an introductory period at the time of the transfer and has served six (6) months or less of the introductory period, the period in the new position will be one (1) year. If the employee has completed his/her introductory period in the current position or has served at least six (6) months of the introductory period, the period due to the transfer will be an additional six (6) months.

Promotion

When in the best interests of the City, vacancies may be filled by promotion. The City may promote after a promotional examination has been given and promotional list established. The Human Resources Officer will determine, after consultation with the affected Department Head, whether a promotional or open competitive examination would best meet the needs of the City.

Demotion

The City Manager may demote an employee whose performance falls below standard, or for disciplinary purposes. Also, upon request of the employee, and with the consent of the City Manager, demotion may be made to a vacant position. No employee shall be demoted to a position for which he/she does not possess the minimum qualifications. Written notice of the demotion shall be given to the employee and a copy filed with the Human Resources Officer.

Reinstatement

With the approval of the City Manager and the Human Resources Officer, a regular employee or a newly promoted introductory employee who has completed the introductory period in another classification and who has resigned with a good record may be reinstated

within three (3) years of the effective date of resignation to a vacant position in the same or comparable class, without being required to undergo an additional qualifying examination. Upon reinstatement, the employee shall be subject to the introductory period prescribed for the classification.

SAFETY

The City of Elk Grove is committed to the safety, health and well being of all of its employees. It recognizes the need to continually monitor all of its locations to ensure a safe environment, free of potential hazards. Employees, too, share in this vision and are encouraged to report all potential safety issues and to work in a safe manner.

This following safety policy is meant to be a guideline only and in no way alters the at-will nature of the employment relationship or creates an express or implied contract between an employee and the City of Elk Grove.

Title: **EMPLOYEE SAFETY**
Number: **S-1**

General:

The City of Elk Grove is committed to the safety and health of all employees and recognizes the need to comply with regulations governing injury and accident prevention and employee safety. Accordingly, the City has instituted an Injury and Illness Prevention Program designated to protect the health and safety of its employees. Maintaining a safe work environment, however, requires the continuous cooperation of all employees. A complete copy of the Injury and Illness Prevention Program is kept by the Risk Manager and is available for review.

Our Illness and Injury Prevention Program includes:

- Identification of the individual responsible for implementing the program;
- A system for identifying and evaluating workplace hazards, including periodic inspections, and investigating occupational injuries and illnesses;
- A system for correcting unsafe or unhealthy conditions and work practices in a timely manner;
- Workplace health and safety training programs for employees;
- A system for communicating with employees on health and safety matters; and
- A system for ensuring employees compliance with safe and healthy work practices.

The City of Elk Grove will maintain safety and health practices consistent with the needs of the City of Elk Grove and its employees. Any suspected unsafe conditions and all injuries that occur on the job must be reported immediately to any supervisor or the Assistant City Manager. Compliance with safety rules is considered a condition of employment. Therefore, it is a requirement that each employee make safety an integral part of her/his regular job functions. It is the responsibility of each employee to accept and follow established safety regulations and procedures.

The City of Elk Grove encourages each employee to communicate regularly regarding safety issues.

Reporting Safety Issues

All accidents, injuries, potential safety hazards, safety suggestions, and health and safety related issues must be reported immediately to the City of Elk Grove Assistant City Manager. Federal law (Occupational Safety and Health Administration or "OSHA") requires the City of Elk Grove to keep records of all work related illnesses and accidents that occur during the workday. Failure to report an injury may jeopardize any right to

collect workers' compensation payments, as well as health benefits. OSHA also provides for any employees' right to know about any health hazards that might be present on the job. Should an employee have any questions or concerns, he/she should contact the City of Elk Grove's Risk Manager, Human Resources or Assistant City Manager.