

SECTION 1 – INTRODUCTION

1.1 WELCOME STATEMENT

The City of Eagle Grove, Iowa takes pride in providing quality services to the citizens of our City. We strive for an environment in which the City may reach its full potential as an efficient organization.

The City Administrator is the City's personnel officer and is responsible for enforcing these policies. The City continually reviews its personnel policies and employee benefits and reserves the right to modify, supplement, amend, or delete any of the provisions contained in this manual at any time. This manual does not represent the entire list of policies of the City, but is designed to give guidance to many essential personnel policies.

City department heads will supervise their employees and maintain proper working relationships. They may adopt and enforce additional departmental regulations that are not inconsistent with this manual. As a City employee you will be expected to carry out your duties in a professional manner, being ever mindful that we serve the citizens of Eagle Grove.

This employee handbook is not intended to create any contractual rights in favor of you or the City. This handbook is not to be construed as an employment contract, express, or implied, or as a promise that you will be employed for any specified period of time. Employees may resign their employment at any time and for any reason, and the City reserves the same right to terminate any individual's employment at any time and for any reason. Nothing in this handbook changes the at-will nature of your employment with the City.

1.2 EQUAL OPPORTUNITY EMPLOYER

It is the policy of the City of Eagle Grove to provide equality of opportunity in employment to all persons. This policy prohibits discrimination because of race, creed, color, religion, national origin, place of residence, political affiliation, disability, marital status, status with regard to public assistance, sex or age in all aspects of its personnel policies, programs, practices and operations. This policy applies to all phases of full, part-time, temporary and seasonal employment, including, but not limited to, recruitment, hiring, placement, promotion, demotion, or transfer, lay-off, recall, or termination, rates of pay or other forms of compensation and selection for training. This policy also applies to the use of all facilities and participation in all city-sponsored activities.

It is the responsibility of every city official and employee to cooperate in the implementation of this policy.

Failure of any employee to perform in a manner consistent with this policy will constitute grounds for reprimand, suspension, demotion, or dismissal from the City's employ. All employees of the city not covered by a contract are employed at the will of the City of Eagle Grove.

1.3 PROOF OF EMPLOYABILITY

To comply with the Immigration Reform and Control Act of 1986, the City requires all employees to present documented proof of identity and eligibility to work in the United States. You are required to complete Section 1 of the Form I-9 on the first day of employment, and to submit proof of employability and identity within three days of hire as required on Form I-9. The employee will be required to show an original social security card as required by the Federal Social Security System, which also can be used as proof of employability .

1.4 AMERICANS WITH DISABILITIES ACT

It is the policy of the City to comply with the Americans with Disabilities Act (ADA). The City will not discriminate against any qualified employee or job applicant with respect to any terms, privileges, or conditions of employment because of that person's physical or mental disability.

In compliance with the Americans with Disabilities Act (ADA), the City will consider reasonable accommodations that do not pose undue hardships to the City to enable qualified applicants or employees with disabilities to perform the essential functions of the position. The City encourages applicants or employees to make suggestions regarding reasonable accommodations to their supervisors, or department heads, or to the City Administrator.

SECTION 2 – DEFINITIONS

2.1 DEFINITIONS

1. ***Appointment.*** The offer of and acceptance of a position either on a regular or temporary basis. An appointment may be withdrawn if it is determined during the probationary period that the person is not qualified for the position either in regard to technical ability or personal suitability.
2. ***Compensation.*** The salary, wage, allowances, and all other forms of valuable consideration, earned by or paid to any employee by reason of service in any position, including fringe benefits, but does not include any allowances, authorized and incurred incident to employment, such as travel pay.
3. ***Compensatory Time Off.*** Time off from scheduled work in lieu of monetary payment for authorized overtime as determined by an employee's supervisor. Compensatory time also refers to time off for salary employees for overtime hours worked.
4. ***Demotion.*** The assignment of an employee to a position of employment requiring less responsibility or skill and/or having a lower pay scale than the former position.
5. ***Disability.*** The physical or mental condition of a person, which constitutes a substantial handicap, but is unrelated to such person's ability to engage in a particular occupation.

6. **Discharge.** The separation from employment of any employee.
7. **Fringe Benefits.** Employee compensation other than wages that may be authorized, such as, but not limited to: hospitalization insurance, life insurance, disability insurance, holiday pay, vacations, sick leave, emergency leave, military leave and injury leave, provided to full time, regular employees.
8. **Full time employee.** Any employee working at least 40 hours per week on a regularly scheduled basis. Regular full time employees are eligible for all employee benefits.
9. **Grievance.** A difference of opinion between an employee and the employer arising out of a belief on the part of the employee that there was unfair treatment in regard to working conditions or compensation.
10. **Immediate Family.** Includes: mother, father, son, daughter, spouse, brother, sister, mother-in-law, father-in-law, brother-in-law, sister-in-law, stepchildren, grandparent, grandchild, son-in-law, daughter-in-law, and adopted children.
11. **Layoff.** The involuntary non-disciplinary separation of an employee from a position because of a reduction in forces or funds.
12. **Leave.** An approved absence from work other than vacation as provided by these rules and policies.
13. **Overtime.** Authorized time worked by an employee, other than a public safety classified employee, in excess of regular scheduled 40 hours for the week. The compensation for overtime shall be at the rate of one and one half times the regular hourly pay rate or compensatory time off, as determined by the supervisor. Public Safety employees overtime is calculated after 86 hours in a two-week period.
14. **Part-time employee.** An employee who works less than 40 hours per week either on a regular schedule or intermittent basis. Regular part-time employees are not eligible for any benefits except those expressly noted in this handbook.
15. **Regular employee.** An employee who has successfully completed a probationary period and has been employed for an indefinite period.
16. **Position.** A group of specific duties, tasks and responsibilities assigned by competent authority to be performed by an employee, a position may be part-time or full time, temporary or permanent, occupied or vacant.
17. **Probationary period.** A working test period lasting a minimum of six (6) calendar months beginning upon initial appointment or promotion. During this time, an employee is required to demonstrate their capability to perform the duties of the position to which they are appointed, and work with other staff in a harmonious manner. This period may be extended

if deemed necessary by the city administrator. Any employee may be terminated at any time for any reason during probation, and the employee shall have no right of appeal. All employees of the city are employed “at will” and employment may be terminated at any time with or without cause.

18. **Promotion.** The assignment of an employee to a position requiring greater responsibilities or skill and having a higher pay scale than the former position.
19. **Rejection.** Separation of an employee during or at the completion of a probationary period.
20. **Suspension.** The temporary separation of an employee without pay, for disciplinary purposes.
21. **Temporary employee.** A person who is hired for a definite period of time and who shall not be entitled to the fringe benefits provided a regular full time employee.
22. **Termination.** The permanent separation of an employee from service, to include: death, rejection, discharge, layoff, or retirement.
23. **Lateral transfer.** The movement of an employee from one position to another that has the same pay assignment.
24. **Exempt employee.** An employee who is not required to receive overtime in accordance with the Fair Labor Standards Act (FLSA) for all hours actually worked beyond forty (40) hours in a workweek.
25. **Nonexempt employee.** An employee who is required to be paid at the rate of time and one-half (1 1/2) their regular rate for all hours actually worked beyond forty (40) hours in a workweek in accordance with the FLSA.
26. **Electronic Messaging Device (EMD):** City computers, electronic mail systems, voice mail systems, paging systems, electronic bulletin boards, Internet services, mobile data computers and facsimile transmissions.
27. **System Administrator:** The department staff person designated with responsibility for managing electronic messaging through individual EMDs and computer networks.

SECTION 3 – EMPLOYMENT PRACTICES

3.1 HOURS OF WORK

The normal workweek for regular full time employees shall consist of eight (8) hours in five (5) consecutive days for a forty hour (40) week. Exceptions, such as the police department, will be

made for services that do not conform to a normal workday and for services that are on continual call. The normal workday begins and ends for each department as described below:

Department	Work Hours
Street	7:00 A.M – 4:00 P.M.
Wastewater	7:00 A.M – 4:00 P.M.
Parks	7:00 A.M – 4:00 P.M.
Cemetery	7:00 A.M – 4:00 P.M.
Water	7:30 A.M. – 4:30 P.M.
City Hall	7:30 A.M. – 4:30 P.M.

The Recreation Department and Library work hours will vary depending on the schedule of activities within the respective departments. The City Administrator and Library Board will be kept up-to-date as to all activities of the respective departments and the hours in which the employees will be working.

Meals and rest periods will be established by the supervisors. Normally there will be a one-hour unpaid lunch period available for each employee. Police Officers working in the field will work ten (10) hour shifts, unless otherwise specified by the Chief. Because officers are continually on call their lunch break is a paid break. When an officer is not working in the field he/she will not be paid for a lunch break. All employees shall normally have a fifteen-minute paid rest period during each 1/2 shift. Breaks should be arranged so that Department functions are properly covered and be taken in such space where working employees will not be disturbed. The time limit specified in this section shall include travel time to and from the work site. Times and arrangements for lunch and rest periods may vary. Schedules may be changed at the discretion of the City to meet varying conditions and workload. Changes in work schedules will be announced as far in advance as possible.

3.2 USE OF TIME CLOCKS

The time clock system is one additional time management system, which further assists department personnel in tracking working hours. In departments using time clocks, the following regulations will apply:

- No employee will clock-in or out for any other person for any reason. Any employee clocking in or out for another employee is subject to termination.
- Valid reasons must exist for early clock-ins or late clock-outs. These occurrences must be approved by your supervisor.
- In the event an occasional infraction of the assigned working hours occurs, there will be a 6-minute grace period. More than the 6-minute grace period will be counted at 1/10 of an hour increments. Continual abuse of the grace period will result in disciplinary action.

- Employees are required to clock out any time they leave the work site for any reason other than assigned work duties.
- Employees must clock out for their designated lunchtime.
- Employees should not clock out for designated break times and must stay in the assigned work area during the break.
- Continual and/or repeat deviations from assigned working hours will be grounds for disciplinary action. This includes, but is not limited to, time changes that did not have prior approval, tardiness, and clocking in/out early or late.

The chart below explains which departments utilize a time clock and the location of the time clocks:

Department	Location of Time Clock
Street Department	Street Shop Break Room
Water Department	Water Plant – 2 nd Floor
Wastewater Department	Wastewater Plant Office
Cemetery Department	Street Shed Break Room
Parks & Recreation Department	Parks Shop (Greenwood Park)

3.3 OVERTIME AND COMPENSATORY TIME

Periodically, overtime work may be necessary to maintain City operations. If you are classified as a nonexempt employee under the Fair Labor Standards Act, you will be compensated for approved overtime hours in the form of monetary compensation or compensatory hours at the rate of time and one-half for each hour worked over forty hours in the workweek. For the Police Department, overtime for nonexempt employees starts at 86 hours in the fourteen-day pay period. Employees who are classified as exempt employees under the Fair Labor Standards Act are not eligible for overtime payments. Overtime must be approved by the respective Department Head and/or City Administrator. Abuse of overtime work may result in disciplinary action, up to and including termination.

Employees shall not accumulate more than 40 hours of compensatory time unless the City Administrator grants such permission in writing. In the case where an employee has more than 40 hours in their compensatory time bank, the employee must use compensatory time before using vacation or sick leave.

Compensatory time off will be granted at the time selected by the employee, and approved by the Department Head. Compensatory time off may be denied if it conflicts with the operation of the department.

3.4 RECORDING WORK HOURS

Workweeks will begin at 12:01 A.M. Saturday and end at 12:00 Midnight of the following Friday. Employees will be paid every other Wednesday. All nonexempt employees must accurately record their hours worked for each pay period on a form provided by their department head. The department head shall review and submit the time sheets to the Finance Officer by Monday at 12:00 p.m. following the close of the pay period.

All required deductions, including those for state and federal taxes and all authorized voluntary deductions, including health insurance contributions, will be automatically withheld from your paycheck.

3.5 HOLIDAYS

Full time, regular employees are granted, except as otherwise provided in this section, the following holidays off from employment with pay:

- New Year's Day
- President's Day
- Good Friday (Half day)
- Memorial Day (Last Monday in May)
- Independence Day
- Labor Day (First Monday in September)
- Thanksgiving Day (Fourth Thursday of November)
- Friday Following Thanksgiving Day
- Veterans Day
- Christmas Eve (Half day)
- Christmas Day
- New Years Eve (Half day)

Because of the nature of our business, it may be necessary for employees to work on holidays. To be eligible for holiday pay (1 1/2 times your regular rate) you must work your complete shift (full-time or part-time) on the regular workday immediately before the holiday and the first regular workday immediately following the holiday.

If you are absent due to illness on the day before or after a holiday you will be eligible for holiday pay only by presenting proof of illness satisfactory to the City. If you are absent from work due to jury duty you will be eligible for holiday pay by submitting certification of actual jury duty service.

If you are on layoff, disability, workers compensation, or any other leaves when the holiday occurs you are not entitled to receive holiday pay.

Except for the Police (with the exception of the chief), Holidays falling on a Saturday will be observed on the preceding Friday and those falling on a Sunday will be observed the following Monday. When a holiday comes during a leave of absence for which an employee receives compensation, the holiday will not be counted as a part of such leave of absence.

When a police officer works a holiday, they will receive holiday pay as set forth above or be allowed to add ten (10) hours to their holiday bank, as long as the police officers are working 10-

hour shifts; other wise, the officers will receive eight (8) hours added to the holiday bank. An officer not working the holiday will be allowed to add eight (8) hours to their holiday bank. The officer must use all accumulated holiday hours prior to the end of the fiscal year, or the hours will be forfeited.

3.6 VACATION

All full time and part time employees who are actively employed for ~~35~~ 40 or more hours per week are eligible for paid vacation based upon their anniversary dates of hire:

Length of Continuous Employment	Vacation
After completing 1 year	40 hours
After completing 2 years	80 hours
After completing 7 years	120 hours
After completing 12 years	160 hours

Part-time employees who work a minimum of 20 hours but not more than 40 hours in a workweek are eligible for one-half the paid vacation of a regular full time employee, based on the same vacation schedule. A regular part-time employee's vacation pay will be calculated on the average weekly wages during the 12 full weeks preceding the vacation.

It is the responsibility of supervisors to schedule vacation in cooperation with their employees to ensure that each employee receives a full vacation and that there is adequate coverage of the work to be done. Your vacation preferences will be granted subject to the staffing needs of the City. Vacation should be scheduled one week in advance whenever possible.

If a holiday occurs during your vacation it will not be considered as part of the vacation period. In that case you will receive an extra day as vacation and will be paid for the additional day when eligible.

All vacation but eighty (80) hours must be taken in the year following the year in which it is earned. Up to eighty (80) hours may be banked for use during the next year. All hours over eighty will be lost if not taken before your anniversary date. However, in the event an employee is required to forego scheduled vacation due to demands within the department the employee may be permitted to carry over such unused vacation upon written approval from the City Administrator (Appendix A).

Vacations may be taken as weekly periods, as individual days, or in one hour increments.

No advanced usage of vacation will be permitted.

No vacation time will be accrued during layoff due to lack of work. Vacation will not accrue during unpaid leaves of absence. The City Administrator may make an exception in writing to this policy for an unpaid leave not exceeding ten working days.

An employee absent from work due to illness or injury shall continue to accrue vacation time while on compensated leave.

3.7 VACATION PAY UPON TERMINATION

If your employment with the City is terminated for any reason during your first year of service, no vacation is due upon termination. If your employment is terminated for any reason after your first year of service, you will be paid for unused earned vacation, providing two week's written notification to the City is given. Failure to furnish advanced two-week's notice of termination will result in the forfeiture of accrued vacation leave. Persons serving in the capacity of Department Head shall provide written notification of pending termination four week's in advance of such action. Payment of all unused vacation shall be included in the employee's final paycheck. Computation of the employee's vacation pay shall be on the basis of the employee's regular rate of pay, applicable at the time of separation. An employee who retires from the City service shall remain an employee and be extended all benefits until all vacation is used.

3.8 PERSONAL DAYS

Each regular full-time employee who has been employed by the City for a period of one year shall be entitled to two personal days during each twelve months of continuous City Service. The Department Head must approve, in advanced, the use of the employee's personal days. Personal days may not be accumulated from year to year.

3.9 RECORDS AND PAYROLL

The City Clerk shall maintain a computer record for each employee in the service of the City showing the name, title of position held, the department to which assigned, salary, changes in employment status, and such other information as may be considered pertinent. Each employee shall promptly report all changes of name, address, and telephone number to the City Clerk.

Employees will be paid every other Wednesday. Your check will reflect your compensation for the prior two weeks, less required payroll deductions. Deductions will be taken from your paycheck as required by law (including your federal and Iowa withholding taxes, your portion of social security and your portion of IPERS) and when applicable, any garnishments or other deductions required by law.

Deductions will be itemized on your payroll stub. You should review your paycheck stub carefully each payday. If you have any questions about the amounts shown on your paycheck or how they are calculated you should contact your supervisor. Tax withholding is based on the number of dependents you claim on the W-4 form that you completed. You are responsible for the accuracy of that form and for updating the information when necessary.

3.10 RECRUITMENT AND SELECTION

It shall be the policy of City to carry on such recruitment programs as necessary to seek out and secure the most qualified individuals to apply for City positions at all levels of service. The City

Administrator is responsible for hiring employees. The appropriate department head will assist the City Administrator in hiring the most qualified personnel.

A vacant position within a department may be filled from among employees within the department, if such would be a promotion, and if a qualified and acceptable department employee is available. If a vacant position is not filled from department employees then employees from other departments may apply for the position. Also, the position will be advertised in the newspaper stating deadline date.

Only after the deadline date for applications shall the selection process begin. Job qualifications and requirements shall realistically relate to the actual duties to be performed on the job. The best applicant will then be selected.

The employment of relatives of your immediate family in the same department is prohibited, unless written approval is received from the City Administrator. Employment of relatives is subject to Chapter 71 of the Code of Iowa.

Employees must have a valid driver's license, if required by the job position. An employee must have a telephone, if the job position requires telephone notification from time to time.

3.11 PHYSICAL EXAMINATIONS AND ABILITIES

A physical examination (including back x-ray) may be required before the employee is hired. The City shall pay the cost of the examination and x-ray, provided that the prospective employee uses a physician of the City's choice. The City may periodically require that an employee pass a physical examination given by a City designated physician.

All employees, depending on the Department, must be able to accomplish certain physical duties. These duties are described in the positions job description. Each member of the Police Department must pass a physical fitness test as per the State of Iowa (please see the Eagle Grove Police Department Policy and Procedural Manual).

3.12 INCOMPATIBLE ACTIVITIES

An employee shall not become involved in any activity, which requires so much time that it impairs attendance or efficiency in the performance of his/her duties as an employee. An employee shall not engage in any outside employment, activity, or enterprise, which is inconsistent, incompatible, or in conflict with duties as an employee.

3.13 REIMBURSABLE EXPENSES

Employees shall be reimbursed for their use of privately owned automobiles on City business, provided such use is approved by the Department Head and the City Administrator. Reimbursement shall be in accordance with rates established by the Federal Internal Revenue Service. Mileage shall be calculated from and returning to City Hall or the Department's office

space. Employees shall also be reimbursed for meals, lodging, parking, registration fees, and other expenses incurred on city business provided such expenses are documented and authorized by the Department Head and the City Administrator. Employees will refrain from spending money on expenses or items that would be considered extravagant or beyond the need of the situation. The maximum reimbursement for meals, unless otherwise authorized by the City Administrator, will be as follows:

<u>Breakfast</u>	<u>Lunch</u>	<u>Dinner</u>
\$8	\$10	\$16

The City encourages all employees to attend conferences, workshops, and other courses to enhance job knowledge. Employees will be compensated for travel time to and from conferences and for time to eat meals included with the program or conference. The City will not compensate employees for time they are “on their own” for meals.

3.14 REIMBURSEMENT FOR LOSS OF PERSONAL ITEMS

The City of Eagle Grove will not reimburse to any employee in any manner or form, any personal objects, possessions, or clothing that are lost or damaged, either while on duty or off duty, unless the employee can prove liability rests with the city. Personal objects are defined as possessions and clothes purchased and maintained by the employee, and not purchased or maintained by the city.

In order that all employee requests might be processed in accordance with the foregoing policy, all departments shall use the following procedures:

1. The employee shall submit to his/her department head a request for reimbursement along with a full description of what contributed to the loss and the extent to which the city or one of its employees was liable or responsible for the loss sustained. The statement is to include substantiation as to why the personal item was necessary to have at work.
2. The appropriate department head will review the incident and the facts and present a report and recommendation to the city administrator on disposition of the claim;
3. The city administrator will review the case and either declare the claim invalid and so advise the employee, or present it to the city council for reimbursement, in part or full. The decision of the city council is final and shall be communicated to the employee by the department head.

3.15 UNIFORMS

Each employee working in the Street Department, Cemetery Department, Park Department, Water Department, and Sewer Department will receive a uniform allowance of \$250.00 per year. The administrative staff will be allowed to purchase two shirts a year, one in the spring and one in the fall. The employees of the Police Department will receive a uniform allowance of \$400.00 per year. The money is to be used only for clothing purchases. Police Officers should be in

uniform on every shift unless the officer is undercover. Employees should wear uniforms as often as possible to represent the city when out in the public. The clothing allowance benefit will give the employee \$100.00 after 2 months employment and the rest after 6 months of employment, with the exception of the Police Department. Uniforms will be worn at least 4 days per week. The standard uniform for city employees will be a long or short sleeve shirt with a city logo or department name and blue jeans or other approved work pants.

3.16 LONGEVITY PAY

Full-time regular employees who have performed satisfactory continuous service for the required number of years shall be eligible for longevity pay at the beginning of the payroll period in which the required number of years has been completed.

Continuous service shall be terminated by resignation, dismissal, or retirement. If a terminated employee receives a subsequent reappointment longevity pay for service prior to the termination shall not be given. Continuous service shall not be considered broken if the employee:

1. Is on military leave of absence and returns to city employment in compliance with Federal and State law.
2. Is on authorized leave of absence or temporary suspension without pay. However, no credit shall be allowed for time toward the accumulation of a one year period by employees suspended or on leave without pay for over thirty (30) consecutive calendar days and additional time equal to the loss of service must be served to qualify for longevity.

Eligible full-time employees shall receive longevity payments of \$4.00 per month after the first year of service and an additional \$4.00 per month for each year of service thereafter. For example, after year two an employee would receive \$8 per month or \$96 per year, the third year would be \$12 per month or \$144 a year.

The longevity payments will peak after the twenty-fifth (25) year of service.

Longevity benefits shall be paid in addition to regular compensation and will be incorporated with the regular, bi-weekly paychecks.

An employee who is suspended, on leave of absence without pay, or otherwise off the payroll, shall not receive longevity pay for such period of absence.

3.17 TUITION REIMBURSEMENT

To further develop staff skills, the City encourages employees to continue their education. The City may pay up to 100% of the tuition costs (maximum of \$750 per year) for college credit if:

1. Funds are available

2. In the opinion of the Department Head, in consultation with the City Administrator, the courses selected are directly related to the employee's job and or purpose of the City.
3. The employee completes an undergraduate level course with a final grade of a C or better.
4. The employee has obtained prior written approval from the Department Head and City Administrator.

The employee will not be reimbursed for books, travel to and from class or any other associated expenses. If it is deemed in the best interest of the city, as determined by the City Council, the employee may be allowed to attend classes during work hours.

Employees who receive tuition reimbursement under this section and voluntarily terminate employment with the City within one year of reimbursement shall repay 100% of the tuition reimbursement or compensate the City through an equivalent adjustment of the monetary value of vacation and compensatory time accrual at the time of termination.

SECTION 4 – EMPLOYMENT STATUS

4.1 PROBATIONARY PERIOD

The probationary period shall be regarded as an integral part of the evaluation process and shall be utilized for observing the employee's work and for securing the most effective adjustment of the employee to his/her position. During the probationary period, the employee has an opportunity to demonstrate proper attitude and abilities for the position in which he/she is employed.

All regular full-time and regular part-time employees shall be required to serve a probationary period of a minimum of six (6) consecutive months immediately upon appointment, demotion, promotion, or re-employment.

City employees are employed at-will. The existence of a probationary period does not alter the at-will employment relationship. Consistent with the at-will relationship, any non-civil service employee may be removed or discharged from his/her employment with the city at any time, including during the probationary period, for any non-discriminatory reason. An individual discharged during this probationary period has no right of appeal. A person removed or discharged during a probationary period shall, at the time of removal or discharge, be given a notice in writing stating the reason/s for the removal or dismissal. The satisfactory completion of such probationary period shall not alter the at-will employment status of the employee, and shall not be construed as any waiver of the city's absolute right at anytime thereafter to remove or discharge any employee at any time, for any non-discriminatory reason, with or without cause.

4.2 REDUCTION IN FORCE

If it becomes necessary to reduce the number of employees because of reorganization, a shortage of work or limitations of funds, termination of the employee will be accomplished with due consideration of status, length of service, and performance evaluation.

4.3 RESIGNATION

An employee in good standing wishing to resign, shall furnish notice of his intention to resign at least two weeks in advance of the effective date of resignation. The position of department head or above must express intent at least four weeks in advance (unless the employee is bound by contract). Failure to furnish notice may be cause for denying compensation for any unused vacation or paid leave. Employees must be present for his/her last full day of work to receive his/her accrued vacation. Employee must turn in all city equipment before leaving on the last day.

SECTION 5 – LEAVE

5.1 JURY LEAVE

If you are required to serve as a juror, the City will pay you the difference between jury duty pay and your regular pay for any scheduled work time that you miss. To be reimbursed, you must present proof of actual jury duty service. You shall have Saturdays and Sundays as days off during the term of jury duty, regardless of your normally scheduled work shifts. To receive jury duty pay, you must provide the City with a copy of the Jury Duty notice as soon as it is received. If you are required to be available for jury duty, but are not required to be in court, you must report to work. Use of the court call in system, if available, is required. All employees on jury duty are expected to promptly return to work when released from service, either temporarily or permanently, when more than three hours of their regularly scheduled work shift remains.

Hours spent by any employee appearing as a witness in any job-related legal proceeding on behalf of the City or specifically at the direction of the City shall be considered to be work time.

Employees subpoenaed to appear as a witness in a civil or criminal proceeding in which that employee is not directly involved as a plaintiff or defendant shall be granted a leave without pay. Employees who must appear as a witness in a civil or criminal proceeding in which they are directly involved as a plaintiff or defendant may be eligible for an unpaid leave of absence.

5.2 SICK LEAVE

The purpose of this provision is to protect the employee from financial loss during an absence from work because of illness or injury. Sick leave shall be granted for physical incapacitation, personal illness to include medical and dental appointments during work hours, enforced quarantine of the employee in accordance with community health regulations, and illness of an

emergency nature to members of the employee's immediate family, all as hereinafter provided. Sick leave may be used, if it is reasonably necessary, for the care of a sick member of your immediate family. An employee shall continue to accumulate sick leave while on any other compensated leave. Sick leave shall be chargeable only when used on regularly scheduled work days or work periods.

If you are a full-time employee you will be eligible for up to 96 hours of paid sick leave during each calendar year. The number of paid sick leave hours will be earned at the rate of eight hours per month worked.

The City will not pay employees for unused sick leave hours when leaving employment, unless the employee is retiring. Unused sick leave hours may be carried over into succeeding calendar years up to a maximum of 960 hours. Sick leave will be taken in one hour increments. Retiring employees will receive one (1) hours pay for every four (4) hours of sick time remaining on retirement day. The maximum number of hours of pay a retiring employee can receive is 240 hours.

If you should feel ill at work, tell your supervisor. If your illness simply requires rest, you will be given an opportunity to do so. If your illness is more serious, arrangements will be made for you to go home, to a physician, or to a hospital. If it is decided that you should leave work, you will be paid for any time you worked that day. If you miss work because of illness you must inform your supervisor regarding the type of sickness and expected return date.

If you miss five consecutive days because of illness a physician must review the medical documentation and authorize your return to work. However, the City may, at any time, request that you provide a physician's certificate that your absence is medically justified.

In the event an employee must use sick leave, the employee shall provide the City with as much advance notice as possible, but at least one (1) hour before your scheduled reporting time, and indicate the nature of the illness and the expected duration of your absence. If no one is present to take a phone call in the department an hour before the beginning of the shift, the employee shall contact the City at the start of the shift. Failure to do so may result in the loss of sick leave payment. It is the responsibility of the employee to keep his/her department head informed each day of absence chargeable to sick leave.

If a holiday falls while you are on a paid sick leave day, you will be paid holiday pay and the day will not be deducted from your accumulated sick leave.

5.3 Sick Leave Exchange

After an employee has accumulated more than 960 hours (120 days) of sick leave, the employee is allowed the option of trading the excess hours over 960 for time off at the rate of four hours sick leave for one hour of time off. Any sick leave time traded in for vacation time must be used within one year or that time will be lost. Employees who have over 50 hours of compensation and/or

holiday time (does not include vacation) accumulated may not apply for sick leave trade in (Appendix B).

Employees who wish to receive sick leave from other employees need to submit a request to receive transferred leave to his/her department head. The request must be recommended for approval or denial by the employee's department head and the city administrator (Appendix C). All personal time, including vacation, comp time, and holidays must be exhausted prior to requesting donated sick leave. Donated leave may be used for both personal illness and the care of a sick member of the employee's immediate family living in the employee's household, or a child with whom the employee has visitation and custodial rights.

Employees who wish to voluntarily donate leave may donate up to a maximum of forty (40) hours sick leave in a calendar year, in four-hour increments, provided that the employee will have a sick leave bank of at least 405 hours following the sick leave donation. At the end of the absence, any remaining transferred leave will be transferred back to the employee who donated it on a prorated basis, rounding to the nearest half hour. The maximum amount of transferred leave cannot exceed the number of days until the employee is eligible for long-term disability benefits.

5.4 MATERNITY LEAVE

If an employee becomes pregnant you may continue working as long as your health permits and your work product does not suffer. When you discontinue regular employment you may apply for a reasonable leave of absence. You may use up to 90 days accumulated sick leave and vacation during that absence. However, if adverse health complications result, which are beyond those resulting from a normal pregnancy, then you may use additional accumulated sick leave, as necessary. A physician must authorize any additional paid sick leave in excess of 90 days.

5.5 Family Medical Leave

Employees of the City are entitled to a family medical leave to the same extent and subject to the same terms and conditions as set forth in the Family and Medical Leave Act of 1993, as amended, and regulations implementing the Act. No provision of the Act is diminished by the inclusion of this provision in this contract. An employee requesting Family Medical Leave shall complete Appendix J of this manual.

5.6 BEREAVEMENT LEAVE

An employee will be granted a leave with pay in the event of a death in the family according to the following guidelines:

Death of an employee's spouse, child or stepchild, parent or stepparent, brother, sister:
four (4) work days.

Death of an employee's mother-in-law, father-in-law, son-in-law or daughter-in-law: up
to three (3) work days.

Death of an employee's brother-in-law, sister-in-law, grandchild, stepbrother or stepsister or guardian or ward:

In the event the employee is the person responsible for making arrangements for the funeral, up to three (3) workdays shall be granted.

In the event the employee is not the person responsible for making arrangements for the funeral, up to two (2) workdays shall be granted.

Death of a grandparent, grandparent-in-law, aunt, uncle, niece or nephew: two workdays.

Upon request of the City Administrator, (8) hours will be granted for the funeral of a more distant relative or a special friend.

The City Administrator has the authority to allow employees time off to attend the funeral of a fellow employees and/or an immediate family member of a fellow employee. The City Administrator shall individually review each such request.

Payment will be made only for those days, which the employee was scheduled to work within the period commencing upon the death and extending through the day of the funeral. The exception to this provision is the death of a spouse, child, or stepchild, parent, or stepparent, in which four (4) days will be allowed. If a death in your family occurs the employee shall notify his/her department head as to the expected length of absence. If a death in your family occurs while the employee is on vacation, it is possible to take bereavement leave and reschedule vacation time.

Any employee may request an unpaid leave to attend the funeral of a relative or friend, subject to the approval of the department head.

5.7 LEAVE OF ABSENCE WITHOUT PAY

Unpaid leaves of absence may be granted in certain circumstances for not more than twelve weeks. If you have exhausted all applicable sick leave, vacation, compensatory time, and FMLA leave, you may request an unpaid leave of absence. Applications for unpaid leave must be made in writing and shall state the reasons for the leave and inclusive dates (Appendix D). Approval of unpaid leave is at the discretion of the City Administrator upon consideration of the Department Head's recommendation.

Employees who are not eligible for leave under the City's sick leave or Family and Medical Leave Act policies or who do not have sufficient leave available under those policies may apply for an unpaid leave under this section for purposes of pregnancy or a related condition as provided in Iowa Code section 216.6(2)(e). The City may require medical certification stating that the employee is not able to perform the duties of employment.

During an unpaid leave granted under this section, you do not receive compensation and in addition do not accrue, vacation or sick leave. The City Administrator may make an exception in writing to this clause for a leave not exceeding ten workdays. The City does not make contributions to retirement programs for the duration of the leave. You may continue in the group health insurance program during an unpaid leave under this section by paying the full cost of the premium by the last day of the month for the following month's coverage. Failure to pay the premium timely will result in termination of coverage.

5.8 MILITARY LEAVE

The City will grant leaves of absence for military service to full-time and part-time regular employees in accordance with applicable state and federal law. A full-time or part-time regular employee, who is a member of the uniformed services, when ordered by proper authority to serve in the uniformed services, shall be granted leave for the period of service. The first thirty calendar days of military leave each calendar year shall be without loss of pay. Any amount of military leave taken during any part of an employee's scheduled workday, regardless of the number of hours taken, shall count as one day toward the thirty calendar days without loss of pay. Absences required for military service that exceed thirty (30) calendar days shall be granted in accordance with the City policy on vacation, compensatory time, or paid leave, and with applicable state and federal law.

REEMPLOYMENT RIGHTS – ELIGIBILITY. Your eligibility for reemployment with the City after you complete military service will be determined in accordance with applicable state and federal law. Conditions for reemployment are briefly explained as follows:

1. You, or an appropriate officer of the uniformed service in which you serve, must give advance written or verbal notice of your service to your immediate supervisor, unless military necessity prevents you from giving notice or if it is otherwise impossible or unreasonable;
2. The cumulative length of the absence and all previous absences from your employment with the City for reason of military service must not exceed five years;
3. Your discharge from military service must be honorable; and
4. When you return from military service, you must report to work or submit a timely application for reemployment according to the following schedule:

For service of less than 30 days you must report to work by the beginning of your first regularly scheduled workday that would fall eight hours after you return home.

For service of 31 to 180 days you must apply for reemployment within 14 days after completing service.

For service of 181 days or more you must apply for reemployment no later than 90 days after completing service.

SECTION 6 – HEALTH, SAFETY AND BENEFITS

6.1 HEALTH INSURANCE

All full time, regular employees, and employees designated by the council, are eligible to apply for health insurance on the 30th day following their employment date. The insurance coverage will start on the first day of the month following the application for benefit. For example if 30 days of employment is completed on February 20th the insurance starts on March 1st. Insurance terminates the last day of the month in which the employee is terminated. Effective July 1, 2006 the employee will pay eleven percent (11%) of the insurance premium.

All full time, regular employees, and employees designated by the council, are eligible to apply for the City's self-funded dental/vision plan. Each employee will have \$500 per year to use for all dental and/or eye examination costs. The \$500 will not carry over from year to year and the employee cannot collect the \$500 unless a receipt is presented or the services are directly billed to the City. Coverage under this plan is terminated on the employees last day of work.

6.2 FLEXIBLE BENEFITS

Employees can make tax-exempt contributions under an approved Section 125 Flexible Benefit Plan (Cafeteria Plan). Tax-exempt contributions can be utilized to pay for an employee's out of pocket health insurance premiums, dependent care expenses and a medical reimbursement account. The Flexible Benefits Plan Document is available at City Hall for further review of details pertaining to the Flexible Benefits Plan.

6.3 CONTINUED HEALTH COVERAGE (COBRA)

If you resign or your employment is otherwise terminated, or if your work hours are reduced, and consequently you or your dependents are no longer eligible to participate in the group health insurance plans offered by the City you and your eligible dependents may have the right to continue to participate for up to eighteen months at your (or your dependents') expense. The eighteen-month continuation coverage period provided in the event of your termination or reduction in working hours may be extended to thirty-six months for your spouse and dependent children, if, within that eighteen-month period, you die or become divorced or legally separated, or if a child ceases to have dependent status. In addition, if you enroll for Medicare during the eighteen-month period, your spouse and dependent children may be entitled to extend their continuation period to thirty-six months, starting on the date that you become eligible for Medicare.

If you are determined to be disabled under the Social Security Act at the time of your termination or reduction in hours, you may be entitled to continuation coverage for up to twenty-nine months.

Your eligible dependents may extend coverage, at their expense, for up to thirty-six months in our group health insurance plans in the event of your death, divorce, legal separation, or

enrollment for Medicare benefits, or when a child ceases to be eligible for coverage as a dependent under the terms of the plan.

If you or your eligible dependents elect to continue in the group health insurance plan, you will be charged the applicable premium. The premium is due the first day of each month; payments not made by the 10th of each month will be defined as untimely payments. Failure to make timely payments may result in termination of coverage.

If this election for continuation coverage is made, you and your dependents may have the option to convert this coverage to an individual policy with our insurance carriers at the end of the continuation period.

The Finance Officer will contact you concerning these options at the time termination occurs or your work hours are reduced. The Finance Officer will contact your qualified beneficiaries in the event of your death or enrollment for Medicare benefits. However, in the event that you become divorced or legally separated, or one of your dependents ceases to be eligible for coverage under our group health insurance plan, you and/or dependent is responsible for contacting the Finance Officer to discuss continuation/conversion rights. You and your qualified beneficiaries are also responsible for notifying the Finance Officer within sixty days of qualifying for social security disability benefits.

6.4 CONTINUATION COVERAGE UNDER IOWA CODE CHAPTER 509A.13

Employees who retire from City employment before age 65 are eligible to continue in the City's group health insurance plan up to age 65. Coverage must be continuous, that is the employee must elect the same coverage at retirement, and the retired employee must pay the full cost of the premium. For purposes of this section, a retired employee is one who has applied for and is receiving a retirement allowance.

6.5 LIFE INSURANCE

The City will provide all full-time, regular employees with term life insurance coverage under a group policy. The amount of coverage may be changed from time to time by the City Council.

6.6 ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE

All full time, regular employees will be covered with whatever insurance is being provided by the City at that time.

6.7 WORKER'S COMPENSATION LEAVE

To provide for payment of your medical expenses and partial salary continuation in the event of a work-related injury or illness, you are covered by workers' compensation insurance. The amount and duration of benefits payable depend on the nature of your injury or illness. If you are injured on the job, you must notify your department head immediately. Within twenty four (24) hours of

the injury, you or your department head must report the injury to the City Administrator and Finance Officer so that injury reports required by state law can be completed. You will also be required to meet with your department head and the city administrator to discuss and complete an incident review form (Appendix E).

An employee injured at work is required to consult with a physician approved by the City. Those physicians are:

1. Trimark Physicians in the Eagle Grove clinic
2. McFarland Physicians in the Webster City Clinic
3. Eagle Grove Chiropractic Clinic
4. Any Physicians required by the City's Worker's Compensation carrier

6.8 RETURNING TO WORK

An employee shall return to work when the physician states he/she is able to do so. Prior to being allowed to return to work, the employee shall provide a written statement from a physician indicating that the employee is released to return to work and is capable of performing all the duties of his/her position.

Occasionally, light duty is available so that employees may return to work sooner. This duty is available only with the consent of the individual's superintendent, and the City Administrator. Light duty may be assigned in a department other than the employee's home department. If no light duty is available, the employee must remain off the job until released by a doctor for full duty.

During work related injury leave as validated, the City shall pay the employee's group health and life insurance premiums provided by the employer and sick leave shall continue to accrue for a maximum of six months or when declared by competent medical authority, approved by the City Administrator, to be unable to work or permanently disabled. Upon such a declaration, the employee shall be entitled to be paid for accrued sick leave and vacation leave.

At the employee's written request, the City may supplement Iowa Worker's Compensation payments (Appendix F). The goal of this policy is to allow employees receiving worker's compensation to be paid a supplemental amount to bring their total compensation to the regular time take home pay they would have earned on the job. For the first ten (10) days the supplemental payments will not affect any leave the employee has accrued. After the ten (10) day period all supplemental payments will be charged against the employees accumulated compensation time, when that runs out the employee can use any holiday time, then sick leave and then vacation leave. The City will continue to pay the employee until his first Worker's Compensation check arrives. The employee will show proof of the check and that amount will be deducted from his next paycheck. This system will continue until the employee is released from Worker's Compensation. This system will assure that the employee will not suffer a hardship due to an on the job injury or illness.

If you fail to report to work at the end of your approved workers compensation leave, or if you are employed by or working for another employer or company during your workers compensation leave, your employment with the City will be considered voluntarily terminated.

NOTE: For further information regarding worker's compensation and on-the-job injuries please refer to Sections 8 and 9 of the City of Eagle Grove's Comprehensive Safety Program Manual.

6.9 SAFETY IN THE WORKPLACE

The City will continue to make reasonable provisions to protect the safety and health of its employees in accordance with all applicable state and federal laws. Employees will make a reasonable effort to comply with OSHA regulations or face disciplinary action. All safety issues are addressed in Eagle Grove's Safety Program Manual.

6.10 DRUG-FREE WORKPLACE AND DRUG TESTING

The City is subject to the Drug-Free Workplace Act of 1988, Public Law 100-690.

The City is committed to the policy of maintaining a drug-free workplace. Thus, the unlawful manufacture, distribution, dispensation, possession or use of any controlled substance by any employee in the workplace is prohibited. (A "controlled substance" within the meaning of this statement means any controlled substance in schedules I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812) and as further defined in federal regulations found at 12 CFR 1308.11.) Any violation of this prohibition will result in discipline up to and including discharge.

As required by federal law, it is a condition of continued employment that:

1. An employee who is convicted of any criminal drug statute violation for conduct in the workplace is required to notify the Employer Administrator of this fact no later than five (5) days after such conviction. (A "conviction" means a finding of guilt -- including a plea of "nolo contendere" -- of the imposition of a sentence, or both, by any judicial body charged with the responsibility of determining violations of federal or state criminal drug statutes.)
2. Each employee shall abide by the terms of this statement.

Federal law requires that the City notify the federal government of any convictions in violation of our policy.

Federal Law further requires the City impose sanctions, which may include discharge, for any violation of the provisions of this notice of policy.

The law allows an employer to require a specific employee to submit to a drug test if:

1. The employer has probable cause to believe the employee's faculties are impaired on the job;

2. The impairment presents a danger to the safety of the employee, co-workers, the public, or the employer's
3. Property, or the impairment violates a known employer rule;
4. The test sample is analyzed by a testing facility that has been approved by the State Department of Public Health;
5. After a positive result from the first test, a second test using an alternate method of analysis is conducted;
6. The employee is allowed to rebut or explain a positive result; and
7. The employer provides a substance abuse evaluation for employees who test positive.

Drug tests can be required as part of an employment physical after a conditional offer of employment has been made only if;

1. Notification that the test will be part of the physical is included in any notice or advertisement soliciting job applicants or in the employment application; and
2. The applicant is told of the requirement at the first interview.

CONFIDENTIALITY: Employers must protect the confidentiality of drug test results. They must be recorded in the employee's personnel records, but if the employee has tested positive and has undergone evaluation and successfully completed any recommended treatment, any reference to the test or its results must be expunged when the employee leaves employment.

SECTION 7 – EMPLOYEE CONDUCT GUIDELINES

7.1 JOB PERFORMANCE REVIEWS

You are expected to work efficiently and harmoniously and to meet the requirements and standards of your position. During your employment with the City your supervisor or designee will periodically evaluate your work. He or she will then undertake a formal review of your work performance giving consideration at each review to changes in your job content or responsibility. The performance evaluation, which will be completed annually, is attached, as Appendix G, to this manual. The objectives, goals and directions for the performance evaluation are stated in said evaluation.

Your salary is monitored in this manner so that it accurately reflects your job and your performance. Increases in your salary are not an automatic part of the performance review but are within the City's discretion based upon your entire work record, the evaluation of your supervisor, and the financial condition of the City.

7.2 ATTENDANCE

The city relies on you to report to work regularly and on time. If you are going to be late or absent, you must contact your supervisor immediately. If you have to leave early, you must obtain approval from your supervisor, who may require you to make up any lost work time. In the event of inclement or adverse weather conditions, if an employee feels he/she cannot safely report to work, said employee shall notify his/her supervisor prior to when the employee is scheduled to report to work. Employees whose absence from work due to inclement or adverse weather conditions has been authorized shall have the option of using vacation leave, compensatory time, or leave of absence without pay for such absence.

7.3 TELEPHONE/CELL PHONE USAGE

Telephone courtesy is a priority because, to the public, yours may be the only City voice on the phone. Answer the telephone promptly and identify yourself. Speak clearly and take careful and complete messages for co-workers. The City recognizes that there may be an occasion when it is necessary to make and receive a personal call at work; however, abuse of this privilege is subject to disciplinary action.

Cell phones paid for by the City are to be used for City business. An occasional phone call from a family member or friend is fine as long as you are staying within your allowed minutes. In the event of traveling into roaming districts you are to try to avoid using your phone or, in urgent situations, use your phone in a conservative manner. If personal calls are identified on your phone bill and caused your minutes to go over the monthly limit or roaming charges have been applied, you will be expected to reimburse the City.

7.4 INTERNET USE

It is the policy of the City that all employees abide by these guidelines when using City computers and the services of both internal and external databases and information exchange networks, and where applicable, voice mail and related electronic messaging devices.

1. Transmission of electronic messages and information on communications media provided for employees shall be treated with the same degree of propriety, professionalism and confidentiality as official written correspondence.
2. The City encourages authorized and trained personnel with access to Electronic Messaging Device (EMDs) to utilize these devices whenever necessary. However, use of any of these devices is a privilege that is subject to revocation.
3. EMDs and their contents, with the exception of personally owned software specifically authorized for installation on City computers, are the property of the City and intended for use in conducting official business with limited exceptions as noted in this policy.
4. An EMD is intended to conduct the business of the City and is restricted to that purpose.

Installation of or access to software for purely entertainment purposes is prohibited. Exceptions to business use include the following:

- a. Infrequent personal use of these devices may be permissible if limited in scope and frequency, if in conformance with other elements of this policy, and if not connected with a profit-making business enterprise or the promotion of any product, service or cause that has not received prior supervisory approval. Employees are advised that they do not maintain any right to privacy in EMD equipment or its contents, to include personally owned software.
 - b. Personnel may make off-duty personal use of City computers for professional and career development purposes when in keeping with other provisions of this policy and with prior knowledge of an appropriate supervisor.
 - c. Personal use must not involve any prohibited activities or interfere with the productivity of the employee or his/her co-workers or consume large system resources or storage capacity or otherwise deplete system resources available for business activity.
5. Employees are advised that they do not maintain any right to privacy in EMD equipment or its contents, to include personally owned software.
- a. The City reserves the right to access any information contained in EMDs and may require employees to provide password to files that have been encrypted or password protected.
 - b. The City reserves the right to access, for quality control purposes and/or for violation of this policy, electronic and voice transmissions of members conducting business of the City.
6. Accessing or transmitting materials (other than directly required for City business) that involves the use of obscene language, images, jokes, sexually explicit materials, or messages that disparage any person, group or classification of individuals is prohibited whether or not a recipient has consented to or requested such material. Solicitation of funds, political material, harassing messages or other such messages are specifically prohibited.
7. Confidential, proprietary or sensitive information may be disseminated (or made available through shared directories or networked systems) only to individuals with a need and a right to know and when there is sufficient assurance that appropriate security of such information will be maintained. Such information includes but is not limited to transmittal of personnel information, such as performance reviews, complaints, grievances, misconduct, disciplinary information, medical records or related employee information.
8. Importing/Downloading Information and Software

- a. Employees shall not download or install on their City computer or network terminal any file (including sound and video files and files attached to e-mail messages), software or other materials from the Internet or other external sources without taking prescribed steps to preclude infection by computer viruses.
 - i. Material shall be downloaded to floppy drives and scanned for viruses prior to being entered into any individual computer or shared system whenever possible.
 - ii. In no case shall external materials or applications be downloaded directly to any shared network drive. When in doubt, employees shall consult the system administrator for guidance.
 - b. Employees shall observe the copyright and licensing restrictions of all software applications and shall not copy software from internal or external sources unless legally authorized.
 - i. Any software for which proof of licensing (original disks, original manuals and/or license) cannot be provided is subject to removal by authorized City personnel.
 - ii. Privately owned software may be loaded on City computers only if approved by the system administrator.
 - iii. Privately owned software must be removed if it conflicts with departmental hardware or software, interferes with the ability of other employees to access or utilize the EMD or occupies excessive storage space needed by the department.
 - c. Employees shall observe copyright restrictions of any documents, images or sounds sent through or stored on electronic mail.
 - d. Any hardware enhancements or additions to City-owned equipment must be approved and authorized by the system administrator. The system administrator is responsible for determining proper installation procedures.
 - e. Employees shall not permit unauthorized persons to use the City's email system.
11. E-mail bulletin boards and conference-type features are to be used for City business purposes. Only duly authorized employees or officials may speak/write in the name of the City. Other employees may participate in news-groups or chats in the course of business when relevant to their duties, but they do so as individuals speaking only for themselves.
 12. Credit card numbers, telephone calling card numbers, login passwords and other parameters, which can be used to gain access to City goods or services, must not be sent over the Internet in readable form.

13. No employee may use the City internet services to deliberately propagate any virus, worm, Trojan horse or trap door program code. No employee may use the City internet services knowingly to disable or overload any computer system or network, or to circumvent any system intending to protect the privacy or security of another user.

7.6 VEHICLE USE

The City of Eagle Grove recognizes the need for employees to drive city owned vehicles during non-employment periods, to respond to emergency situations, to protect city property, and to take vehicles to private residences. These guidelines are established to provide guidance to employees, supervisors, and department heads when assigning take home vehicles, and establishing requirements incumbent upon the individual to whom the vehicles are assigned.

1. Department heads of the various city departments will be responsible for assigning take home vehicles to their personnel. These assignments will be based on the department's need and how those needs meet the city's interests. All such assignments shall be subject to approval of the city administrator.
2. Position descriptions requiring personnel to be on call and or respond to calls during non-scheduled working hours should have city owned vehicles assigned to their department. The employees that have to attend meetings at non-scheduled working hours may also take assigned vehicles to their residence. The vehicles may be taken home but are not required to be taken home.
3. Use of city vehicle for personnel business shall be limited to incidental use while traveling to and/or from work and for lunch breaks. Examples of incidental use include picking up clothes at the cleaners and stopping at the grocery store on the way home.
4. All city employees must remain fully aware of state law and city ordinances governing the operation of motor vehicles and operate them accordingly. Employees must realize that public identification of the vehicles places them in highly visible position and they should endeavor to act accordingly.
5. An employee will not be permitted to leave the state of Iowa with an assigned vehicle unless the department head approves such departure. The position description requires normal use outside of the city limits you may use the vehicle accordingly. An employee leaving the state with a vehicle must submit a request to the city administrator (Appendix H).
6. An employee is responsible for the vehicle assigned to him or her. The vehicle should be parked off the street in a well-lit area. The employee must maintain approved fluid levels in the vehicle and report any malfunctions or needed repairs through proper channels. The employee is responsible for informing the street department when the vehicle needs to be serviced.

7. Deviation from these procedures must be approved in writing by the employee's department head with final approval vested in the City Administrator.
8. All accidents in City of Eagle Grove vehicles must be reported to the employee's supervisor immediately after the accident. The sheriff's department or Iowa Highway Patrol should be called to do the investigation and reports whenever possible.
9. Assignment of commuting vehicles is restricted to the following:
 - a. City Administrator
 - b. Public Works Director
 - c. Police Officers
 - d. Parks and Recreation Director
10. Employees who will be absent from work due to vacation, travel, military service, or scheduled medical leave for two or more continuous days must park their City vehicle in a secure City facility designated by their supervisor. The keys should be left with a supervisor or in City Hall to allow use by other employees that may have a need for a vehicle.

The state law requires that all government owned gasoline-burning vehicles use ethanol-blended gasoline when being operated.

7.7 INSPECTION

The City reserves the right to search any person entering on its property or off-site while performing services for the City and to search property, equipment, and storage areas, including, but not limited to clothing, personal effects, vehicles, buildings, rooms, facilities, offices, parking lots, desks, cabinets, lunch and equipment boxes or bags, and equipment. Any items that you do not want to have inspected should not be brought to work.

7.8 CONFIDENTIALITY

As an employee of the City you may hear confidential business information. During and after employment with the City, confidential business information may not be shared with non-employees of the City and may only be shared with City employees on a need to know basis.

The City protects your confidentiality and expects you to protect the City's confidences as well supervisors may not give out any information about you and must refer any phone calls seeking that information to the City Administrator. The City does not provide letters of recommendation.

The City also expects that you respect the privacy of your fellow employees, both with employees and non-employees. Personal information about any employee may not be discussed with other employees and non-employees.

7.9 POLITICAL ACTIVITY

To serve the best interest of the employee, taxpayers, and the city government, it is the policy of the City of Eagle Grove to restrict certain types of political activity without infringing upon the employee's right to exercise their suffrage as citizens. The purpose is to safeguard the employee from pressure to financially or otherwise support any political party or person. Another important reason is to safeguard the interest of the public who all municipal employees must serve without political bias and without regard to their political opinions or affiliations.

This policy has been developed not to restrict one's constitutional rights, but to dramatize and protect the neutrality of public service personnel.

Therefore, employees are prohibited from:

1. Using their official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office;
2. Directly or indirectly coercing, attempting to coerce, commanding, or advising a state or local officer or employee to pay, lend, or contribute anything of value to a party, committee organization, agency, or person for political purposes.

On the other hand, employees on their own time, shall be permitted to:

1. Express their opinions on political subjects and candidates;
2. Take an active part in political management and political campaigns;
3. Campaign for a candidate in a partisan election by making speeches or writing on behalf of the candidate;
4. Attend political rallies or partisan campaign meetings;
5. Transport voters to the polls for the voters' convenience, or;
6. Make voluntary contributions to a political party or organization.

All full-time employees of the city who wish to seek election to the city council must take a leave of absence from city service. This leave is to begin with the first formal activities of the employee to obtain nomination or election to the office and will end upon completion of all activities with the office or the campaign, if not elected.

7.10 GIFTS OR GRATUITIES

The requirements imposed by the Code of Iowa shall apply to all gifts to elected or appointed officials and city employees or their families. City services are not to be extended by employees in

exchange for special awards, gifts or other remuneration from outside individuals or organizations. When an employee receives any offering as a result of his/her status as a city employee, such receipt must be reported in writing at once to the department head, and the retention of the gift will be based on the city administrator's recommendation to and approval by the mayor.

7.11 CONFLICT OF INTEREST

It is the policy of the city that no elected or appointed official or city employee, or the spouse, or minor child of an elected or appointed official or city employee, or a firm of which the elected or appointed official of the city is a partner or a corporation of which the elected or appointed official or the city employee holds ten (10) percent or more of the stock either directly or indirectly, shall have any personal material interest or outside affiliation which would likely produce a conflict between their self interest and proper performance of the elected or appointed official's or employee's duties. No knowledge gained by any elected or appointed official or employee in their role as such shall be used in such a manner as to cause a conflict between their personnel interest and the city's interest. All elected or appointed officials or employees shall conduct their personal affairs so as to avoid any conduct that may adversely affect or appear to affect the judgment of the elected or appointed official or employee.

The following guidelines are hereby established with respect to this policy:

Personal Financial Interests. Elected or appointed officials or city employees, or the spouse or minor child of an elected or appointed official or city employee, or a firm of which the elected or appointed official or the city employee is a partner or a corporation of which the elected or appointed official or the city employee holds ten (10) percent or more of the stock either directly or indirectly should avoid participating financially, directly or indirectly, in any business enterprise which might influence, or be thought to influence, the official decisions or actions of the elected or appointed official or city employee. In making judgments regarding such participation, they should consider whether their financial interests in any such business enterprise that has or may have a business relationship with the city represents a substantial portion of their net worth or a substantial portion of the ownership of such business enterprise.

Outside Affiliations. No salaried city employee shall hold any position with any other business enterprise or governmental body which would conflict with or reasonably might be likely to conflict with the proper performance of his/her civic duties or responsibilities or which might tend to influence his/her impartial judgment with respect to dealings between the city and such other business enterprise or governmental body without full and complete disclosure to the city council or mayor.

If any time an elected or appointed official or city employee, or the spouse, or minor child of an elected or appointed official or city employee, or a firm which the elected or appointed official or the city employee is a partner or a corporation of which the elected or appointed official or the city employee holds ten (10) percent or more of the stock either directly or indirectly finds that they are considering the assumption of a financial interest or outside relationship which reasonably might involve a conflict of interest with the city or with respect to which they are in

doubt as to whether it does or might conceivably conflict with the official duties of the elected or appointed official or city employee, it shall be the duty of the elected or appointed official or city employee to make timely disclosure of the facts relating thereto to the mayor, council, city administrator, or department head, which is their immediate superior or the commission, board, or committee which he/she is a member of in order that an objective and impartial evaluation thereof may be made and conflict avoided. Under such circumstances, except as otherwise instructed by the city after the full disclosure of the facts, he/she should refrain from exercising responsibility in any matters concerning the city which reasonably might be considered to be affected by his/her self interest.

SECTION 8 – DISCIPLINARY ACTION AND COMPLAINT RESOLUTION PROCEDURES

8.1 GENERAL

Whenever an employee violates any of the policies, regulations, or code of ethics outlined in this employee handbook, the city administrator, with recommendations from the department head, may institute disciplinary action in any of the categories listed below, depending on the seriousness of the offense committed. These disciplinary procedures are merely guidelines. They are not listed in any particular order and there is no requirement that any particular disciplinary action precede any other action. The city may choose to implement any of the procedures listed, including immediate discharge at any time, depending on the seriousness of the violation. The city reserves the right to change, alter, or terminate any of the disciplinary procedures at any time.

8.2 DISCIPLINARY ACTIONS

Oral Reprimands. The employee shall be counseled concerning the unsatisfactory areas of work. Only the department head, or the city administrator may issue oral reprimands. Oral reprimands shall be documented as a record of conversation in the employee's personnel file. The employee will be notified of such action and will be asked to sign the documentation before it is placed in the personnel file. The supervisor issuing the oral reprimand shall also sign and date the record of conversation. If the employee refuses to sign the record of conversation, such refusal shall be noted on the document, signed by the supervisor, initialed by the city administrator, and placed in the employee's personnel file.

Written Reprimands. A written reprimand shall include a statement of the problem and a notation to the effect that the problem was discussed with the employee in question. A copy of the written reprimand shall be included in the employee's personnel file. The employee will be notified of such action and will be asked to sign the documentation before it is placed in the personnel file. Only a department head or the city administrator may issue written reprimands and they are to sign and date the document. If the employee refuses to sign the written reprimand, such refusal shall be noted on the document, signed by the supervisor, initialed by the city administrator, and placed in the employee's personnel file.

Suspensions. Any action on the part of a regular employee which is in violation of the orders of his/her supervisor or contrary to the policies or rules of his/her department or the city, but not serious enough to warrant dismissal, may be disciplined by suspension without pay for a period not to exceed five (5) work days. This authority is to be exercised by the city administrator. Recommendation for such action may be made by the employee's supervisor. Prior to issuance of a notice of suspension, the nature of the offense is to be reviewed with the city administrator. A copy of the notice of suspension that has been signed by the employee and the supervisor will be placed in the employee's personnel file. If the employee refuses to sign the notice of suspension, such refusal shall be noted on the document, signed or initialed by the city administrator, and placed in the employee's personnel file.

Discharge. Any recommendation for the discharge of a city employee must be to the city administrator. The city administrator will make a determination whether to terminate the employee or if other action should be taken to remedy the situation.

Prior to termination, the employee shall be given an opportunity to discuss the reason(s) being considered for his/her dismissal in a meeting with his/her department head and the city administrator. A notice of termination shall be in writing and shall state the specific charges with such clarity and particularity that the employee will understand the charges made against him/her and will be able to answer them if he/she so desires.

It should be emphasized that department heads, or the city administrator are not required to go through all the procedures (oral reprimand, written reprimand and suspension) outlined. Discipline may begin at any level depending on the seriousness of the offense committed. In addition, the department head, or the city administrator may repeat any of the first three procedures when he/she feels it is necessary, so long as the discipline is commensurate with the offense committed. If there is any doubt what step to begin with, the city administrator should be consulted.

Nothing contained herein shall be deemed to prevent an employee who has received a notice of termination from resigning prior to the effective time of the notice of termination. However, any resignation must be in writing and filed with the city administrator.

The form and degree of disciplinary action shall be commensurate with the seriousness of the events or conditions giving rise to the need for discipline. Progressive discipline should be practiced with regard to the disciplining of employees who violate rules and regulations contained herein.

The following list of offenses may result in city employee disciplinary action: The list is not all-inclusive and exhaustive but instead merely illustrates the type of behavior that may result in disciplinary action:

Inefficiency, insubordination, incompetence, failure to perform required duties, narcotic addiction, dishonesty, un-rehabilitated alcoholism, negligence, conduct adversely affecting the employee's performance, charged with a felony offense or conviction thereof, conviction of a crime involving moral turpitude, conduct unbecoming of a public employee, or misconduct.

NOTE: The Disciplinary Action Report (Appendix I) is to be completed when any one of the disciplinary actions is taken.

8.3 COMPLAINT RESOLUTION PROCEDURE

Misunderstandings, conflicts, problems, or other questions about your job can arise in any workplace. To ensure effective working relations, it is important that such matters be resolved before serious problems develop. If your concern relates to any type of workplace harassment, follow the procedure in the harassment policy contained in this handbook. Also, certain complaints may fall under resolution procedures established by state law. For other complaints, the City has adopted the following procedure to respond to your concerns.

The normal chain of command should be used whenever possible. First see your department head. He or she is in the best position to resolve your problems or concerns. If, however, you do not believe a discussion with your department head is appropriate, or if you are not satisfied with the answer given by your department head, employees may discuss a problem with the City Administrator without obtaining prior permission from anyone else. If this involves time during their working schedule, employees need to notify their supervisor of the appointment but not necessarily the nature of the meeting.

A conflict that may arise shall be processed and settled in the following manner. An employee who has a conflict may avail him/herself of the complaint procedure by submitting his/her appeal in writing (Appendix J), within five (5) days after the occurrence of the action creating the conflict. The complaint shall be signed by the employee and shall state specifically the facts of the conflict, and a statement from the employee specifying what relief or remedy is desired. The complaint shall be submitted to the individuals listed in the following sequence:

Step One – Department Head. A decision in the first step of the procedure shall normally be rendered within three (3) days of the submittal of the complaint.

Step Two – City Administrator. A decision in the second step of the procedure shall normally be rendered within three (3) days of the submittal of the complaint.

Step Three – Personnel Committee. If the employee is dissatisfied with the solution provided by the City Administrator, he or she will have an additional three (3) days from the decision of the City Administrator to appeal to the Personnel Committee, which consists of the Mayor and two (2) council members.

The Personnel Committee shall review the dispute and, if necessary, meet within seven (7) days to review the dispute. The Committee may schedule additional meetings as necessary. The Committee will render a decision within five (5) days of its first meeting. The decision of the Personnel Committee will be final and binding.

Time Limits. The time limits specified in this Section may be extended to a definite date by mutual agreement between the City and the concerned employee. The failure of an employee, to appeal a complaint to the next step within the applicable terms specified above shall bar an employee from appealing the complaint further, and any such complaint shall be considered as

abandoned and finally settled. The failure by the City to reply within the applicable times as specified above shall be deemed a denial of the complaint, which may then be appealed by the employee to the next step.

8.4 CODE OF ETHICS/RULES OF CONDUCT APPLICABLE TO ALL EMPLOYEES

The employment of every employee shall be contingent upon acceptable conduct, satisfactory performance of duties, and compliance with personnel rules and regulations. The following lists are not exhaustive or exclusive, but rather examples of actions that may result in the employee receiving disciplinary action:

1. That the employee is incompetent, negligent, or inefficient in the performance of his/her duties;
2. That the employee has been abusive in his/her attitude, language, or has been abusive in his/her conduct toward fellow employees, superiors, or the public;
3. That the employee has violated any lawful or official regulation, order or rule, or failed to obey any lawful and reasonable direction given to him/her by his/her supervisor;
4. That the employee has taken for personal use a fee, gift, or other valuable thing in the course of work or in connection with employment without reporting its receipt to his/her department head and the administrator;
5. That the employee, through negligence or willful misconduct, has caused damage to public property or waste of public supplies;
6. That the employee has been absent without leave or has failed to report upon the expiration of an approved leave of absence;
7. That the employee has directly or indirectly participated in a local political campaign in any manner as to violate any of the regulations set forth in the political activity section of this manual;
8. That the employee has solicited private business for personal reasons during working hours or has used his/her city position to try to secure or to conduct private business;
9. That the employee has made a false statement in his/her application for employment;
10. That the employee has hindered the regular operation of the department because of unauthorized absenteeism, tardiness, or has absented himself/herself from duty during regular working hours;
11. Reporting to work under the influence of alcohol or a controlled substance/s, possessing, distributing or consuming alcohol or a controlled substance/s while on duty. If an off-duty employee is called in to work, and he/she advises the supervisor that he/she has been

- socially consuming alcoholic beverages or taken a medication that may diminish his/her capacity, the employee shall not be required to report for duty;
12. That the employee has used city vehicles or equipment without proper authorization.
 13. That the employee has been involved and at fault in an avoidable accident on the job in a city vehicle or on city property;
 14. That the employee has operated city vehicles in an unlawful or hazardous manner;
 15. That the employee has misappropriated city funds, appropriated city property for personal use without permission, or illegally disposed of city property;
 16. That the employee has demonstrated conduct unbecoming an employee of the city while on or off duty;
 17. That the employee has submitted a false report of his/her conduct of service;
 18. That the employee has submitted a false report against another employee;
 19. A specific failure to meet certain standards of conduct and/or work performance, or a general lack of performance in an area of employment;
 20. Dishonesty, theft, or fraud;
 21. Insubordination - refusal to follow orders and instructions directly related to the performance of his/her job;
 22. Outside employment that is inconsistent with the city's goals, objectives, and policies, and/or that reflects negatively on the city's operations;
 23. Violation of the state gift laws as they apply to public employees;
 24. Unauthorized use of computer-related resources belonging to the city, which include, but is not limited to, computers, computer-related equipment, computer programs, computer systems, or modems;
 25. Unauthorized use of city telephones/fax for personal business;
 26. Accepting unauthorized employment while on leave-of-absence;
 27. Creating unsafe or unsanitary conditions;
 28. Smoking in prohibited areas;

29. Unauthorized use or disclosure of information or records;
30. Refusal to work overtime when a reasonable request is made that allows the employee sufficient time to alter personal plans. If the request to work overtime is due to an emergency situation, the employee needs to be made aware of the importance of the request and barring extreme personal circumstances, they are expected to report for work;
31. Unauthorized removal of city or a fellow worker's property;
32. Failure to follow procedures outlined in this Employee Handbook;
33. Fighting or horseplay on the job;
34. Representing their personal opinion/s as those of the City of Eagle Grove;
35. Creating strife, discord, and disharmony among other city employees by constant and repeated negative statements, criticism, or attitude;
36. Disclosure of confidential information protected by federal, state, or city law, or commonly recognized as privileged or confidential information;
37. Sleeping while on duty;
38. Any other action or failure to act which adversely affects the city, its officers, or employees;
39. Failure to maintain appropriate Iowa driver's license as required by his/her job description;
40. Failure to maintain a required concealed weapons' permit as required by his/her job description;
41. Failure to follow established safety policies and guidelines established by his/her department.

In addition, all employees must observe the following rules:

1. All employees shall observe city ordinances and shall exercise reasonable care when driving any city vehicle;
2. All employees shall be courteous at all times in dealing with the public. Employees should listen carefully to complaints and refer them to the proper person for appropriate action;
3. All employees shall follow established safety policies and guidelines established by their department;

4. Any employee involved in a reportable accident involving city equipment should immediately notify the police and the department head. Vehicles should not be moved until police arrive and take charge of the scene;
5. City vehicles shall be used only for city business. No city vehicle shall be used after working hours, unless permission is obtained from the city administrator. All city equipment shall be restricted to assigned departments and shall not be borrowed unless permission is obtained from proper department heads. No city vehicles shall be used for personal errands, personal transportation, or other such business unless permission is obtained from the city administrator;
6. Uniforms provided for employees shall be worn only during working hours or for official city business outside working hours. Uniforms may be worn to or from work, unless department rules specify otherwise, but are not to be worn on any personal activity.

8.5 SEXUAL HARASSMENT

It is the City's policy that all employees are responsible for assuring that the workplace is free from sexual harassment. Because of the City's strong disapproval of offensive or inappropriate sexual behavior at work, all employees must avoid any action or conduct, which could be viewed as sexual harassment.

Sexual harassment has been defined by federal and state regulations as a form of sex discrimination. It can consist of unwelcome sexual advances, requests for sexual acts or favors, or other physical and verbal conduct of a harassing nature by supervisors or others in the workplace.

Sexual harassment exists when:

1. Supervisors or administrators make submission to such conduct either an explicit or implicit term or condition of employment (including hiring, compensation, promotion, or retention);
2. Submission to or rejection of such conduct is used by supervisors or administrators as a basis for employment decisions.

Sexual harassment may also exist when conduct by supervisors, any other employee, or people who are not employees, unreasonably interfere with an employee's work performance or creates an intimidating work environment. Such conduct may take various forms, as for example:

1. *Verbal* -- sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, threats.
2. *Nonverbal* -- sexually suggestive objects or pictures, graphic commentaries, suggestive or insulting sounds, leering, whistling, obscene gestures.

3. *Physical* -- unwanted physical contact, including touching, pinching, brushing the body, coerced sexual intercourse, assault.

Sexual harassment of employees by nonemployees in the workplace is not acceptable and should be reported to a supervisor or administrator.

PROCEDURES

1. Any employee who has a complaint of sexual harassment at work by anyone, including supervisors, co-workers, or visitors should immediately bring the problem to the attention of the supervisor, administrator, or the City Council.
2. Inquiries, and/or complaints will be investigated immediately by the City Administrator or City Council. All complaints will be handled in a timely and confidential manner. The purpose of this provision is to reasonably protect the confidentiality of the employee, who files a complaint, to encourage the reporting of any incidents of sexual harassment, and to protect the reputation of any employee wrongfully charged with sexual harassment.
3. Investigation of a complaint will normally include conferring with the parties involved and any witnesses. Employees shall be guaranteed an impartial and fair hearing. All employees shall be protected from coercion, intimidation, retaliation, interference or discrimination for filing complaint or assisting in an investigation.
4. Any employee determined by impartial investigation to have harassed another employee will be subject to appropriate disciplinary procedures, up to and including termination.
5. A non-employee who subjects an employee to sexual harassment in the workplace will be informed of the City's harassment policy by the employee's supervisor or administrator, and other action may be taken as appropriate.