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**CITY OF CLINTON
EMPLOYEE HANDBOOK**

Table of Contents

Welcome to the City of Clinton	1
Introduction, Purpose of Employee Handbook, and At-Will Disclaimer	3
Equal Opportunity Policy	4
Harassment and Retaliation	5
Anti-Retaliation	6
Complaints, Investigations and Remedying Discrimination, Harassment or Retaliation in the Workplace	6
Accommodating an Employee’s Mental Health or Physical Disability	8
Family and Medical Leave Act	8
Job Descriptions	13
Physical Examinations and Post-offer Drug Testing	13
Hiring	13
Veterans Preference	14
Employee Status	14
Employee Orientation	14
Appointments and Work Schedules	15
Classification & Compensation	155
Overtime	155
Promotions	16
Use of Medications	166
On-the-Job Injury or Illness	166
Return to Work Program	18
Off-the-job Injury or Illness	21
Landline Telephone and Cellular Phone Use	21
Computer and Internet Use	211
Ethics	23
Conflicts of Interest	23
International City Management Association	24

Posting of Positions.....	24
Drug and Alcohol Workplace Policy	25
Requirement of Iowa Driver’s License/Commercial Driver’s License (CDL)	29
Specific Requirements for Employees with Commercial Driver’s License (CDL) ..	30
Workplace Privacy	30
Workplace Violence	31
Weapons Policy	31
Secondary Employment	31
Solicitations	32
Political Activities Policy	32
Discipline	32
Performance Evaluations	34
Uniforms	35
Dress Code	35
Iowa Smoke-Free Air Act Policy/Use of Tobacco	36
Nepotism Policy	36
Residency Requirement Policy	37
Separation from Employment	37
Maintenance of Personnel Records.....	37
Pay Day	38
Payroll Direct Deposit/Distribution of Paychecks	38
Sick Leave.....	38
Paid Vacations.....	40
Holidays	40
Transfer of Accrued Sick or Vacation Hours Due to Catastrophic Events	41
Jury Duty/Subpoenaed Employees	41
Military Leave	41
Bereavement Leave.....	42
Severe Weather and Other Emergencies	43
Compensatory Time Accrual.....	433
Insurance & Retirement Benefits for Full Time Employees.....	43

<i>Employee Assistance Program</i>	45
<i>I.R.S. Section 125 – Flexible Spending Accounts</i>	46
Recovery of Lost Property	46
Use of City Vehicles/Travel Expenses	46
Safety	47
Departmental Bulletin Boards and E-mail Monitoring by Employees	47
City of Clinton Acknowledgment	48
Addendum A	49
Addendum A(1)	50



Welcome to the City of Clinton

The City of Clinton Mayor and City Council would like to welcome you! We hope that you find the City of Clinton a rewarding place in which to work and we look forward to a productive and successful association. Please visit our website at <http://www.cityofclintoniowa.us> to learn more about the City of Clinton.

The legacy of our City and its continued success makes Clinton a top location to live, work, and play. The City was founded in 1857 and has gone through numerous transitions. The latest of these has been our attention to strong economic development efforts; increased housing stocks; and an intentional focus on making Clinton a wonderful place to live. The backbone of this City is its residents. It is our duty to treat them with respect, show them courtesy, listen to them, and assist them whenever possible, with a non-judgmental attitude.

The purpose of this document is to set forth the policies by which personnel related decisions are made by supervisors on how employees are to be guided, and to set expectations for conduct in the workplace. The City's ability to manage and provide public services with efficiency and effectiveness is dependent upon the capability and performance of its employees. City leaders strive to provide a good working environment; emphasizing individual achievement, open communication, and sensitivity to employee needs.

Sincerely,

A handwritten signature in blue ink that reads "Matt Brooke".

Matt Brooke
City Administrator
City of Clinton

VISION

The City of Clinton endeavors to build and grow a community where the potential and opportunity for its citizens, business and industries, and visitors is endless.

MISSION

The City of Clinton is committed to providing first-class, innovative, and cost-effective leadership and services that enhance the quality of life of citizens and creates opportunities for economic development and tourism to thrive.

VALUES

Teamwork, Honesty and Transparency, Consensus and Cooperation, Integrity, Commitment and Loyalty, Ethical, Environmental Stewardship, and Safety

GOALS

***Maintain a strong financial position;
Communicate well with citizens, employees & other stakeholders;
Contribute to a healthy physical and economic environment and quality of life;
Continual improvement of City's organization and services***

Introduction, Purpose of Employee Handbook, and At-Will Disclaimer

This is your Employee Handbook. The purpose of this Handbook is to summarize the City's expectations of and the benefits and other rights of its employees.

DISCLAIMER

You are an "at-will" employee. You may resign your employment at any time and for any reason, and the City reserves the same right to discontinue your employment at any time and for any lawful reason or for no reason at all. Nothing in this Handbook changes the at-will nature of your employment with the City. 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 or as a promise that you will be employed for any specified period of time.

The terms of this Handbook do not supersede the terms of any collective bargaining agreement negotiated with the City's unions or the civil service status of some employees. When in conflict, the terms of the collective bargaining agreements, civil service laws (Iowa Code Chapter 400), and other laws which alter the at-will status of employees will control, except to the extent this manual is determined to reflect the requirements of federal or state law which supersede the collective bargaining agreements.

This Handbook is provided for informational purposes only. The policies, procedures, benefits and plans described in the Handbook may be revised by the City at any time without prior notice. The City retains the exclusive right to change, add to, eliminate or modify any of the policies in the Handbook at any time at its discretion, with or without notice.

Any promises, representations or actions by a City official or employee which are contrary to this Handbook are not the official policy of the City, and are of no force or effect. This Handbook supersedes and cancels the effect of any previous versions of this Employee Handbook.

These policies generally cover all City employees. However, temporary employees may not be covered by all provisions. Employees of the Clinton Public Library are subject to the Personnel Policies as approved by the Library Board. Employees of the Clinton Municipal Airport are subject to the Personnel Policies as approved by the Airport Commission. Contractors and consultants of the City are not employees of the City and are therefore not covered by any policies listed herein.

These policies work to ensure decisions will be made consistently and in line with overall City goals regarding employee relations. Questions of interpretation should be addressed to the City's Human Resources representative. The City Administrator or his/her designee shall be responsible for all final interpretation and application of these policies. The principles expressed herein will be used as a guide regarding issues not specifically addressed in these policies.

This document should be read in conjunction with negotiated labor contracts and operating procedures published by the City Administration and other City departments.

Upon hire, all employees of the City shall be furnished a copy of these policies. Any substantive changes or amendments shall be posted in each department. Employees will be notified that updated policies are available.

You are responsible for reading this Handbook. Each City department has been provided a copy of these policies and, in addition, may also have departmental policies. **Please check with your supervisor or Department Head to obtain your department's policies. Certain departmental procedures may take precedence over the general procedures in this Handbook.**

Employees are responsible for reading their email and other documents posted or distributed each workday or as often as practicable. Every attempt will be made to provide periodic updates to this document.

If you have any questions or need clarification on any policy, please contact your supervisor.

Equal Opportunity Policy

The City depends on the talents of all of its employees. The City's future depends on how we recognize, value and appreciate our differences. Because we appreciate the value of our differences, we dedicate ourselves to achieving a work environment that encourages and values the contributions of every employee. It shall be the policy of the City to act affirmatively and without discrimination in regard to all terms, conditions and privileges of employment in accordance with all applicable laws. Decisions regarding all employment terms, conditions and privileges, including, but not limited to, recruitment, hiring, placement, training, promotion and layoffs, shall be made without regard to race, creed, color, religion, sex, pregnancy, sexual orientation, gender identity, genetic information, national origin, age, disability, military or veteran status, or any other characteristic protected by applicable federal, state or local law. Personnel procedures shall also be administered without regard to an individual's race, creed, color, religion, sex, pregnancy, sexual orientation, gender identity, genetic information, national origin, age, disability, military or veteran status, or any other characteristic protected by applicable federal, state or local law.

Employment decisions are based on merit and business needs, not based on status as a protected class. The City complies with laws regarding reasonable accommodations for disabled employees. The City will not discriminate against qualified employees or job applicants because of physical or mental disabilities as set forth in the Americans with Disabilities Act (ADA). Equal Employment Opportunity notices are posted. These notices summarize the rights of employees and list the names and addresses of different government organizations that may be contacted in the event a person believes he/she has been discriminated against.

Any honorably discharged veteran, as defined in the Iowa Code, shall be entitled to preference in appointment, employment and promotion over other applicants of no greater qualifications, consistent with the required definition in the Iowa Code.

Our City is committed to employing only United States citizens and aliens who are authorized to work in the United States. In compliance with the Immigration Reform and Control Act of 1986, we require all newly hired or rehired employees to complete an US Department of Homeland Security Employment Eligibility Verification Form I-9. The Finance/Human Resources Department is responsible for ensuring that applicable documentation is completed in compliance with this policy.

Harassment and Retaliation

Illegal harassment is defined as offensive verbal or physical conduct based on a person's race, creed, color, religion, sex, sexual orientation, gender identity, age, national origin, disability, pregnancy, genetic information or any other characteristic protected by local, state or federal law which has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment. It can also include unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
The conduct has the purpose or effect of creating an intimidating, hostile, or offensive working environment.

Sexual harassment may consist of a variety of behaviors, including, but not limited to, the following examples:

1. Verbal conduct such as sexual innuendo, suggestive comments, jokes of a sexual nature, sexual propositions or threats;
2. Non-verbal or visual materials such as derogatory posters, photography, graffiti, cartoons, drawings or gestures;
3. Physical conduct such as unwelcome touching, hugging, kissing, coerced sexual contact or assault;
4. Threats or demands to submit to sexual requests in order to keep an employee's job or receive some job-related benefit.

The City will not tolerate harassment. Harassment is prohibited under local, state and federal employment laws and is also considered misconduct subject to disciplinary action, up to and including termination. Immediate action will be taken to resolve all complaints about discrimination and harassment. See Complaints, Investigations and Remedying Discrimination, Harassment or Retaliation in the Workplace section below for the complaint procedure.

Anti-Retaliation

Employees who report or file good faith claims of harassment or discrimination with the City or any local, state or federal agency, or employees who in good faith file workers' compensation claims, request Family Medical Leave Act "(FMLA)" leave or military leave, report occupational safety violations or wage violations shall not be subjected to retaliation. Witnesses, who in good faith, participate in any investigation, shall not be subjected to retaliation. Retaliation is penalizing an employee by demoting him/her, terminating the employee or changing the employee's work conditions in a material way for making a complaint in good faith or for the employee's participation in an investigation conducted by the City.

The City will not tolerate retaliation. Immediate action will be taken to resolve all complaints about retaliation.

Complaints, Investigations and Remedying Discrimination, Harassment or Retaliation in the Workplace

Employees must report any violations of the above-mentioned policies regarding equal opportunity, discrimination, harassment, sexual harassment, and reasonable accommodation, to the immediate supervisor, department head, and/or a member of management, following the appropriate chain of command. The chain of command need not be followed if a person in one of these positions is the person alleged to have violated these policies.

The City will take prompt remedial action. The appropriate member of management will complete an investigation or review and determine whether any of the policies have been violated. In some cases, the City may direct an independent outside investigator to handle the investigation. While sensitive employee information will be kept confidential, the corrective action being taken, if any, will be shared with the complaining party.

A continuous two-way flow of information between supervisors and employees is essential to the achievement of organizational goals. Whenever possible, issues should be resolved through an informal communication process between employee and supervisor. When a problem arises, it is important to communicate in an open, calm and honest manner and begin communicating when an issue first arises.

If an issue cannot be resolved through communication, employees covered by a bargaining unit agreement may utilize a formal grievance process and non-union employees may appeal a disciplinary action to the Finance/Human Resources Department designee. Any problem not resolved by the immediate supervisor informally, must be reduced to a **written complaint** for review by the persons listed in the steps below. Informal oral reports of complaints should be noted in writing by the immediate supervisor, including the details of whether or not the issues were resolved or not resolved.

In the case of sexual or other harassment, illegal discrimination, or similar concerns, the following steps should be followed by employees:

1. If comfortable doing so, employees are encouraged to express their objection to behaviors that could constitute discrimination, harassment or retaliation to the person engaged in the behavior.
2. Any employee who has a complaint of or observes conduct or overhears language that constitutes discrimination, harassment or retaliation at work, by anyone (including managers or immediate supervisors, Department Heads, co-workers, clients, customers, contractors, members of the general public or visitors to the workplace), should immediately bring the problem to the attention of the employee's immediate supervisor. If not resolved by the immediate supervisor, reports must be made to the employee's Department Head. If further attention is required, reports must be made to Finance/Human Resources Department designee, the City Administrator or the City Attorney.
3. The person receiving a complaint about discrimination, harassment or retaliation shall immediately notify the City Attorney or the City Administrator, who may, as the situation requires, name an impartial investigator. Investigations will be conducted in a timely manner. Confidentiality will be maintained to the extent that is possible, but in no event shall the report be released to third parties outside of the City, unless ordered by an Arbitrator or Judge with competent jurisdiction over the matter.
4. Investigation of a complaint normally will include conferring with the parties involved and any named or apparent witnesses. Employees are required to fully cooperate with any member of management or the City Attorney who is conducting a work-related investigation. Retaliation against parties or witnesses shall not be tolerated.
5. Any employee determined, after investigation, to have discriminated against, harassed or retaliated against another employee will be subject to appropriate disciplinary procedures depending on the severity of the behavior, up to and including termination. The City will take prompt action it deems appropriate to remedy the situation and to prevent further discrimination, harassment or retaliation.
6. In the event a non-employee subjects an employee to discrimination, harassment or retaliation in the workplace, the employee's manager or immediate supervisor, the City Attorney or the City Administrator will inform the non-employee and (if appropriate) his/her employer of the City's policy against discrimination, harassment and retaliation. The City will require the person (or, if appropriate, his/her employer) to take prompt action the City deems appropriate to remedy the situation and to prevent further discrimination, harassment or retaliation.

Accommodating an Employee's Mental Health or Physical Disability

Any qualified employee with a physical or mental impairment (including an employee who has suffered a work-related injury) which substantially limits one or more major life activities or who has a record of a substantially limiting physical or mental impairment and who cannot perform an essential job function, is entitled to a reasonable accommodation. A reasonable accommodation is an adjustment or modification provided by the City to enable an employee to continue to perform his/her essential job functions. What constitutes a reasonable accommodation varies depending upon the needs of the employee and the essential job function at issue.

Any employee who believes he/she requires a reasonable accommodation should make his/her request to his/her Department Head or the Finance/Human Resources Department. Any manager, immediate supervisor, or Department Head who believes he/she has an employee who requires a reasonable accommodation or who has an employee make a request for an accommodation should contact the Finance/Human Resources Department.

Employees who believe they require a reasonable accommodation need not use the words "ADA" or "reasonable accommodation" and said accommodation requests may be made verbally.

Family and Medical Leave Act

It is the City's policy to provide unpaid family and medical leave in accordance with the federal Family and Medical Leave Act (FMLA). Whether a particular situation is covered by FMLA depends on whether the law's requirements have been met, not on whether an employee actually requests FMLA leave. The City will designate leave as FMLA leave if the employee is eligible for FMLA leave and if the law's other requirements are satisfied, even if the employee has not requested FMLA leave. FMLA leave shall be run concurrently with all other paid leave.

Leaves Available

An eligible employee will be granted up to twelve work weeks of unpaid, job-protected leave in a rolling twelve-month period for any of the following qualifying reasons:

1. The birth of and/or need to care for a newborn child;
2. The placement of a child with the employee for adoption or foster care;
3. The need to care for a spouse, child or parent with a serious health condition;
4. A serious health condition that makes the employee unable to perform the functions of his/her job; or

5. A “qualifying exigency” due to the employee’s spouse, parent or child being called to or service in active duty United States Armed Forces. This means leave to deal with child care, financial or legal arrangements due to deployment, leave to address issues arising from the death of his/her covered service member, or leave to spend time with a covered service member who is on short-term temporary rest and recuperation leave during deployment, among other things.

Additionally, an eligible employee will be granted up to twenty-six work weeks of unpaid, job-protected leave in rolling twelve-month period if he/she is caring for a service member who incurred a serious injury or illness while on active duty in the United States Armed Forces.

Finally, an eligible employee may be granted up to twelve work weeks of intermittent (non-continuous leave) or a reduced work schedule for any qualifying reasons identified in the above paragraphs 1-5.

Eligibility Requirements

To be eligible for FMLA leave, an employee must have worked for the City for at least twelve months, and for at least 1,250 hours during the twelve months immediately preceding the start of the leave.

General Provisions

For purposes of this policy:

“**Child**” means a son or daughter under 18 years of age, or a child 18 years of age or older who is incapable of self-care because of a mental or physical disability. An employee’s child is one for whom the employee has actual daily responsibility for care and includes a biological, adopted, foster or step-child.

“**Parent**” does not include parents-in-law.

“**Serious health condition**” means an illness, injury, impairment or physical or mental condition that involves:

- a) an overnight stay in a hospital, hospice, or residential medical care facility;
- b) a period of incapacity that requires absence from work for more than three consecutive calendar days AND involves either two or more treatments by a healthcare provider, or at least one treatment by a healthcare provider plus a regimen of continuing treatment;
- c) any period of incapacity due to pregnancy or for prenatal care;
- d) a chronic serious health condition that results in periods of incapacity and sometimes requires treatment;
- e) permanent or long-term conditions which require medical supervision; or multiple treatments and recovery therefrom.

“Spouse” does not include an unmarried domestic partner.

The **“12-month period”** during which the leave entitlement occurs is designated as the 12-month period measured forward from the first date of the leave.

Married employees: If the employee and the employee’s spouse are both employed by the City, and are both eligible for family and medical leave, the employee and the employee’s spouse will be limited to a combined total of twelve weeks of family and medical leave a year taken for any one or all of the following reasons: birth of a child or to care for the child after birth; placement of a child with the employee for adoption or foster care, or to care for the child after placement; or to care for the employee’s parent with a serious health condition. This limitation does not apply in cases of leave to care for the serious health condition of the employee’s spouse or child, or because of the employee’s own serious health condition.

How and When Leave May Be Taken

Family and medical leave is taken either in consecutive workweeks; intermittently in separate blocks of time; or by reducing the number of days the employee works per week, or hours per day.

Intermittent or reduced schedule leave may be taken when medically necessary to care for an employee’s spouse, child or parent with a serious health condition, or because of the employee’s own serious health condition. The employee must provide the City with medical certification of the need for intermittent or reduced schedule leave, and must attempt to schedule his/her intermittent or reduced schedule leave so as not to disrupt City operations. The employee may be transferred temporarily to an alternative position or schedule, with equivalent pay and benefits, which better accommodates the intermittent leave or reduced schedule.

Leave for childbirth, adoption or foster care placement may be taken intermittently or on a reduced leave schedule only if the employee’s Department Head agrees to the proposed intermittent or reduced leave schedule.

Leave for the birth of a child or placement of a child for adoption or foster care must be taken within twelve months of the birth, adoption or placement.

Notice Requirements

If an employee knows in advance that he/she will be taking leave because of birth, adoption or placement of a foster child in the employee’s home, or because of planned medical treatment for the employee or a covered family member, the employee must notify his/her manager or immediate supervisor in writing.

If circumstances require that the leave begin in less than thirty days, the employee must notify his/her manager or immediate supervisor as soon as is practicable.

When the need for leave is foreseeable based on planned medical treatment for an employee or an employee's covered family member, the City expects the employee to consult with his/her manager or immediate supervisor or Department Head and to make a reasonable effort to schedule the treatment so as not to unduly disrupt City operations.

Medical Certification

The City reserves the right to require written medical certification from the appropriate healthcare provider when leave is requested to care for a child, spouse, parent or covered service member with a serious health condition, or because of the employee's own serious health condition. Medical certification forms will be provided to the employee by the Human Resources Department. Employees should complete and return to the City the certification form within fifteen days of the City's request. Certification will include the date of onset, the probable duration, type of treatment and other appropriate medical facts concerning the condition. If an employee is seeking leave for his/her own health condition, the certification must also state that the employee is unable to perform the essential functions of his/her position. For leave to care for a family member, the certification must state that the employee is needed to care for the family member, and an estimate of the amount of leave time the employee will need. Other certification requirements apply in the case of intermittent or reduced schedule leave.

The City also may require periodic reports from an employee during FMLA leave regarding his/her status and the employee's intent to return to work.

The City reserves the right to require an employee to provide recertification for the need for leave depending on the amount of leave required.

Fitness for duty medical certification may also be required when an employee is returning to work after leave for his/her own serious health condition.

Exigent Circumstances Certification

The City reserves the right to require a copy of the covered service member's active duty orders or other documentation issued by the military which indicates the service member is on active duty or called to active duty status and the dates of the covered service member's active duty service. This information need only be provided to the City once.

Use of Paid Leave

The City will require an employee to use paid leave as part of his/her FMLA leave as follows:

1. The employee must use any accrued, but unused, sick leave, vacation and personal days, for any portion of the twelve-week leave for birth, adoption, foster placement or to care for a child, spouse or parent with a serious health condition. However, this section shall not allow any person to take paid sick leave if that person is not otherwise qualified for sick leave under the City's sick leave policy.

2. The employee must use any accrued, but unused, sick leave, vacation and personal days for any portion of the twelve-week leave to care for his/her own serious health condition.

When an employee has used all required paid leave for any portion of an FMLA leave, the balance of the leave will be without pay.

Rights and Benefits During Leave

Seniority, sick leave and vacation will accrue only during periods of paid leave, in accordance with policies on accrual of paid leave.

Under FMLA regulations, when a holiday falls during a week when an employee is taking a continuous week of FMLA leave, the entire week is counted as FMLA leave. When a holiday falls during a week when an employee is taking intermittent or reduced schedule FMLA leave, the holiday is not counted as FMLA leave unless the employee was scheduled to and expected to work that day and used FMLA leave, instead. When the City closes operations for a week or more, this time cannot be included in the employee's FMLA leave.

All benefits which an employee has accrued before taking leave will be retained after returning from an approved FMLA leave, if not depleted during the leave.

While an employee is on FMLA leave, whether paid or unpaid, the City will continue the employee's group health insurance coverage at the same level and under the same conditions that coverage would have been provided had the employee continued working. The employee will be required to pay the same cost of coverage as if he/she were actively at work. The employee will be informed in writing of the amount and method of payment at the beginning of the leave. Loss of insurance coverage may result if the premium amount is more than thirty days late. If the employee misses a premium payment and the City pays the employee's contribution, the employee will be required to reimburse the City for delinquent payment upon return from leave.

Under certain circumstances, if an employee fails to return to work after an approved FMLA leave, the City may require the employee to reimburse it for the amount the City paid for the employee's health insurance coverage during the leave, except in certain circumstances prescribed by law.

Returning to Work

At the conclusion of an employee's FMLA leave, if the employee took the leave for his/her own serious health condition, the employee may be required to provide certification from his/her healthcare provider that the employee is able to resume work and is fit for duty. If the employee can perform the essential functions of his/her job, the employee will be restored to his/her former position, if that position is vacant, or one with equivalent pay, benefits and conditions of employment, provided the employee has complied with the requirements of this policy.

If the employee's healthcare provider states that he/she may return to work, but that the employee has certain restrictions which limit his/her ability to perform certain essential job functions, then such work restrictions shall be analyzed in accordance with the Accommodating An Employee's Mental Health or Physical Disability section, above.

Job Descriptions

The City has prepared job descriptions which list the essential functions and other responsibilities of each City position and each employee is required to review and sign his/her job description. If an employee has not reviewed and signed his/her job description, the employee should contact his/her supervisor immediately. A job description is not intended to be an exhaustive list of all duties which could possibly be assigned to a position, nor does it limit the authority of the City to request an employee perform different or additional functions. As a provider of public services, the City requires employees to be flexible enough to fill in where necessary to ensure City services are provided at the level Clinton residents have come to expect.

While the City strives to ensure City job descriptions are regularly reviewed and revised as necessary, if an employee notices his/her job description does not accurately or adequately reflect his/her job, the employee should advise his/her supervisor so necessary revisions can be completed.

Physical Examinations and Post-offer Drug Testing

All new employees are given a conditional offer of employment before they are appointed to full-time positions and to some part time positions. Depending upon the responsibilities of the position, a conditional offer of employment may be subject to passing a physical examination, a background investigation, and other stipulations. Part-time and temporary employees may or may not be subject to a physical examination, and this may depend upon several factors, including, but not limited to, the level of physical activity required, the responsibilities required and whether they are transferring into a full-time position.

A drug test shall be required as part of the post-offer employment physical examination for all positions where such a test is legally required. Other tests could be required by State of Iowa law. All medical information and test results shall be kept confidential pursuant to HIPAA regulations.

Hiring

When a vacancy occurs in a full-time position, the opening will be posted in City Hall and department locations for a minimum period of 10 business days in conjunction with posting the position externally. Current employees may indicate their interest in being considered for the vacancy by applying for the position in writing to the Department Head within the stated posting period. The Department Head will make the recommendation on who is to fill the opening. The City of Clinton reserves the right to use other recruiting sources to fill open positions at their discretion. Existing employees will not necessarily

be preferred over outside applicants; the City hires the best and most qualified person who is suited to the particular position. Police and fire positions are subject to Chapter 400 of the Iowa Code and the City follows hiring and promotion procedures under Chapter 400 in those cases. Chapter 400 will control all procedures for police and fire positions, when in conflict with other City practices.

Veterans Preference

Any honorably discharged veteran, as defined by Iowa law, shall be entitled to preference in appointment and employment over other applicants of no greater qualifications as required by Chapter 35C of the Code of Iowa.

Employee Status

Full-time – Full-time employees are scheduled to work a normal work week of 37.5 hours or more.

Permanent Part-time – Permanent Part-time employees work less than the normal workweek, but at least 20 hours per week on a regular basis, or 1,040 hours or more in a calendar year, or are paid more than \$1,000 in wages for two consecutive quarters.

Temporary Part-time– Other employees include those that are hired for a period of six months or less, or work less than 20 hours per week or on an as needed basis, or less than 1,040 hours in a calendar year, or are paid less than \$1,000 in wages for two consecutive quarters. Temporary Part-Time employees are not entitled to any benefits as described in this handbook, but are subject to the same work rules governing regular employees.

Exempt- An employee not eligible to earn overtime as defined by the Fair Labor Standards Act. The exemption is determined by meeting the standards of one or more tests defined in the Act.

Non-Exempt- An employee who must earn minimum wage and overtime pay at time and one-half the regular rate of pay for all hours worked over 40 hours in a workweek, as defined by the Fair Labor Standards Act.

Employee Orientation

The City recognizes the importance of developing successful working relationships from the first day of employment. As such, the City has designed an orientation program for new employees during which the employee will:

- be provided a copy of this Employee Handbook;
- be provided a copy of the applicable job description;
- attend a meeting with the Human Resources Department to explain various employment forms, policies and applicable benefits;

- attend initial safety training, where applicable; and
- receive orientation instructions relative to the department in which the employee has been assigned.

Appointments and Work Schedules

Many of the services delivered to the citizens of Clinton require around the clock attention. As such, schedules vary. Further, there are three classifications of employment: full-time, part-time and temporary. The type of appointment determines the benefit levels allowed for a particular job. Please see sections on employee benefits, infra.

Full-time employees generally work at least 37.5 hours per week, whereas part-time employees work 29 hours or less per week. Temporary employees may work any number of hours, but the position will terminate on a date certain, which is communicated upon hire. An employee's supervisor will explain the work schedule required for the employee's position.

A full-time exempt employee is a salaried employee who is not covered by the overtime provisions of the Fair Labor Standards Act and is not eligible to receive overtime compensation in the form of time off (compensatory time) or cash. A full-time non-exempt employee is one who is covered by the overtime provisions of the Fair Labor Standards Act and is eligible to receive overtime compensation.

Classification & Compensation

The City of Clinton strives to pay competitive wages along with a comprehensive benefits package that will attract and retain the brightest and the best employees. Bargaining unit employees will be compensated according to their unit contracts. Non-bargaining employees will be compensated based on the non-bargaining grade order listing and wage structure.

Overtime

Periodically, overtime work is necessary to maintain city operations. In most cases, there are a sufficient number of employees available to make overtime work optional. Occasionally, however, the Department Head may require the employee to work overtime. Exempt employees, as defined by the Fair Labor Standard Act, shall not receive overtime or compensatory time.

Please see your collective bargaining agreement (if applicable) for further details on overtime. Generally, non-exempt employees will be compensated at one and one-half times (1-1/2) their normal hourly rate for all hours in excess of 40 per week. Overtime shall be accrued in quarter hour increments unless stated differently in a collective bargaining agreement. Unscheduled vacation hours, compensatory time and sick leave hours shall not be counted as work time for the purpose of determining overtime.

Scheduled vacation hours and holiday hours shall count as work time for the purposes of determining overtime.

Promotions

The City encourages employee development and advancement. The City will consider internal applicants for promotion concurrent with candidates recruited externally.

Job postings and the selection process will comply with applicable collective bargaining agreements. When such opportunities become available, they are posted at City Hall and on departmental bulletin boards. All qualified employees responding to the announcement will be considered and, if found to be suited for the position, interviewed.

Applicants for entry level or promotional positions for fire and police department positions will be tested through impartial examinations which fairly test each applicant's ability to perform in the position. In accordance with Chapter 400, Code of Iowa, Examinations may consist of review of application materials, oral interviews, and/or written, practical, or physical agility examinations as are appropriate to the position.

An employee covered by Civil Service who is suspended, demoted, or discharged may appeal the disciplinary action to the Civil Service Commission, and will be entitled to a hearing before the Civil Service Commission. Appeals must be filed with the Clerk of the Commission (City Clerk) within 14 calendar days after the suspension, demotion, or termination.

Use of Medications

Certain medications may have an adverse effect on an employee's ability to safely operate vehicles or other machinery and equipment. If an employee is taking a medication, either over-the-counter or prescription, that may impair the employee's safety or the safety of his/her co-workers or the general public, the employee is required to notify his/her supervisor immediately. The employee's supervisor will require the employee to provide the City's FMLA/HIPPA designated official in the Finance/Human Resources Department with documentation of the side effects of the employee's medication so the extent and effect of any impairment the medication may cause can be determined, and so, if appropriate and feasible, safe work can be assigned.

On-the-Job Injury or Illness

In all cases where modified or alternate work is reasonably available, it is the policy of the City of Clinton to provide modified or alternate work for employees injured on the job who are unable to return to his/her regular job classification on a temporary basis. Regular modified and alternate work will be provided as available with the Americans with Disabilities Act (ADA) and Iowa Workers' Compensation Act.

The feasibility of reasonable accommodations shall be determined on a case-by-case basis by the Department Head, taking into consideration, the employee, the specific

physical or mental impairment, the essential functions of the job, the work environment, and the ability to provide accommodations.

If an employee is unable to perform his/her job for the City due to injury or illness, work for another employer is expressly prohibited.

Work absences caused by on-the-job injuries and illnesses, including medical expenses caused by the same, are compensated as provided by Iowa law. If an employee becomes injured or has an accident while performing his/her job, the employee must notify his/her supervisor immediately and complete all required forms with the employee's supervisor within 24 hours.

An employee's failure to promptly report a job-related injury or illness may result in the appropriate workers' compensation report not being filed in accordance with the law, which may consequently jeopardize the employee's right to benefits in connection with the injury or illness.

Employees injured on the job are not permitted to seek immediate treatment on their own (i.e., without contacting their supervisor), except when an injury/illness appears to be life-threatening and there is not time or opportunity to contact the supervisor to arrange care.

Following a work-related injury, employees may be required to return to work within the restrictions set out by the authorized medical provider. If appropriate, temporary alternate/light duty work may be assigned. An employee's failure to report for reasonably suited temporary alternate/light duty work offered by the City is grounds for termination of employment and may result in denial of workers' compensation benefits. The City offers temporary alternate/light duty work to employees in writing, and employees are required to respond in writing whether said work is accepted or not accepted and, if not accepted, the reasons why. **See Addendum A.**

Employees must follow the authorized medical provider's orders at and away from work. Each employee's recovery will be monitored until the employee returns to full duty.

Generally, an employee who is eligible for workers' compensation may use sick leave for scheduled workdays lost during the first three days following the injury or illness. If the employee continues to be eligible for workers' compensation, the employee will be paid at the State of Iowa workers' compensation rate of pay starting on the fourth day of the disability. If the employee is off work for more than fourteen calendar days, the insurance carrier will then pay for the first three days following the illness or injury and the City will recover any overpayment of benefits as an offset against future benefits owed, if any. The City will compensate the employee for the difference between his/her workers' compensation payment and his/her full pay without the employee losing any available sick leave, vacation or compensatory time accruals.

A workers' compensation absence may constitute a leave covered by the Family and Medical Leave Act (FMLA). Workers' compensation leaves will run concurrently with

applicable Family and Medical Leave Act leaves in cases where a temporary alternate/light duty assignment is not available, where (due to restrictions issued by a healthcare provider) a temporary alternate/light duty assignment is not appropriate, or where the employee has refused a temporary alternate/light duty assignment.

Return to Work Program

It is the purpose of this program to provide guidelines for employees injured on the job who are unable to return to his/her regular job classification upon returning to work.

- A.** The City of Clinton may provide modified or alternate work for employees injured on the job, who are unable to temporarily or permanently return to his/her regular job classifications. Regular modified and alternate work may be provided as available in compliance with the Americans with Disabilities Act (ADA) and Iowa Workers' Compensation Act.
- B.** The City of Clinton will make reasonable accommodations for a disability unless the accommodations would impose an undue hardship on the employer. The disabled employee must be able to perform the essential functions of the job with or without reasonable accommodation.
- C.** The feasibility of reasonable accommodations shall be determined on a case-by-case basis, taking into consideration the employee, the specific physical or mental impairment, the essential functions of the job, the work environment, and the ability to provide accommodations.
- D.** Objectives:
 - 1. To return employees who were injured on the job back to work as soon as possible, as long as there is not significant risk of substantial harm to themselves and others.
 - 2. To minimize financial hardship and emotional stress on the employee who has sustained a work-related injury.
 - 3. To assist employees in returning to work at a level as close as practicable to his/her pre-injury earnings and productivity.
 - 4. To retain qualified and experienced employees.
 - 5. To reduce the cost of disability benefit programs.

E. Temporary Alternate/Light Duty (TAD):

1. The purpose of TAD is to provide temporary work, within medical restrictions, for employees injured on the job. It is defined as modified duties or hours assigned to a worker. TAD is assigned when the physician indicates the employee can return to work but is not yet physically capable of handling the entire job duties normally assigned, and the work-related injury has not reached maximum medical improvement.
2. TAD may be available with medical prognosis indicating that the employee is expected to return to full duty following a course of medical treatments. If a temporary alternate duty position is available, an injured employee must be provided with TAD as soon as medically feasible. TAD should be consistent with the employee's physical/mental abilities.
3. Employees in TAD capacity will continue to receive the salary and benefits of his/her job classification. They will be proportionately adjusted in the case of part-time work. The status of the TAD assignment should be reviewed after each medical appointment, normally every 7 to 14 days. TAD does not normally exceed three months.
4. TAD Procedures:

The department head or workers' compensation designee:

- 1) Informs designated physician about the TAD program and provides a copy of the injured employee's job description to physician.
- 2) Informs the injured employee about the TAD program.
- 3) Informs workers' compensation adjuster of the employee's availability to the TAD program.
- 4) Obtains information regarding the medical condition of the employee from the physician(s).

Employee's supervisor, along with workers' compensation designee:

- 1) Develops work assignments on a case-by-case basis, if available, adjusting to medical restrictions.
- 2) Develops appropriate TAD assignments and monitors on-going medical and work adjustments.
- 3) May meet with the injured employee to review their TAD status.

Employee:

- 1) Reviews and signs **Addendum A**.
- 2) When the physician has determined that maximum medical improvement has been reached and the employee is able to perform the essential duties of his/her job with or without reasonable accommodations, the employee shall return to the job classification and duties held prior to the work injury.
- 3) When the physician has determined that maximum medical improvement has been reached and the employee is unable to perform the essential duties of his/her job with or without reasonable accommodations, the employee may be assigned to a Ninety (90) Day TAD Assignment.
 - a. An employee assigned to a TAD Assignment will report to his/her regular department. The employee shall be assigned to do assignments that he/she is able to do under the restrictions that the physician has placed on the employee.
 - b. Employees placed on Ninety (90) Day TAD Assignments shall continue to receive the salary and benefits of his/her regular job classifications.
 - c. If the employee cannot perform the essential functions of the employee's regular job with or without reasonable accommodations, and no alternative job within the employee's restrictions is available (or becoming available in the near future) for which the employee is qualified and eligible, then the employee's employment status shall be determined in accordance with applicable law, any relevant personnel policies, and any applicable collective bargaining agreements.

F. Permanent restriction resulting from personal injury/illness:

Employees who are off work due to personal injuries/illnesses may be required to complete functional capacity examinations before they can return to their former jobs. The cost of such examination will be paid for by the employer.

G. Responsibilities of the employee:

1. An employee who is unable to return to work without restriction is responsible for keeping his department head (or the department head designee) informed of the status of the employee's medical condition.

2. If the employee rejects any assignment which is compatible with medical restrictions, the employee shall not be compensated by the City of Clinton, or the City of Clinton's workers' compensation carrier, with temporary, partial, temporary total or healing period benefits during the period of refusal (*Code of Iowa*, Section 85.53).

Off-the-job Injury or Illness

Employees injured off the job may be eligible for sick leave, Family and Medical Leave, or other leaves pursuant to this policy and applicable law. The City will require a physical prior to return to work in any case where the employee sustains an injury tending to impair the employee's ability to safely perform an essential job function with or without reasonable accommodations.

Landline Telephone and Cellular Phone Use

The use of City telephones and personal cell phones to receive or make personal calls is discouraged, and employees will limit the duration of necessary calls so as not to interfere with work responsibilities. Use of City telephones for personal long-distance calls which cause the City to incur long-distance charges is prohibited.

Employees who are issued City cell phones must reimburse the City for the cost of personal calls which cause the City to incur additional charges.

Computer and Internet Use

1. The City owns and maintains several computer networks, internet and electronic mail systems, hereafter referred to as "system." This system is provided to the employees for the purpose of conducting City business.
2. The system hardware and software are owned by the City and as such are City property. Additionally, all documents and messages composed, sent, received or stored on the system are and remain the property of the City. They are not the private property of any employee, and employees should not consider any communication via the system confidential, personal and/or private.
3. The use of the system is for the conduct of City business. Personal business or other non-job-related activities should be minimized. Supervisors may further limit or restrict personal use.
4. The system shall not be used for commercial ventures, religious or political causes, outside organizations or other non-job-related activities.

5. The system shall not be used to send (upload) or receive (download) copyrighted materials, trade secrets, proprietary financial information or similar materials without specific prior authorization.
6. The system shall not be used to create or retrieve any offensive or disruptive messages or files. Among those which are considered offensive are any messages or files that contain any comment that offensively addresses someone's sex, sexual orientation, race, color, religion, national origin, age, disability, gender identity or marital status. Downloading of pornography or similar materials is strictly prohibited.
7. The confidentiality of any activity or message should not be assumed or expected. Deleting a message may not fully eliminate the message from the system. Further, the use of passwords for security does not guarantee confidentiality. The system automatically records information such as origin, destination, content and time spent online. The City Administrator or designee may direct Information Services staff to monitor sites accessed. The City Administrator or designee also reserves the right to access, review and audit all messages and files created, received, stored on or sent over the system for any purpose, even after said message or file is deleted. The contents of any electronic mail or file may be disclosed without the permission or prior notification of the employee who sent or received the message or created the file. The City is not responsible if "hackers" retrieve, and make public, employee system activity. Thus, privileged or confidential material shall not be communicated via the system due to potential monitoring.
8. Personally identifiable information and personnel file materials shall not be transmitted by means which are not secure and which have not been reviewed and approved by the City's IT Director.
9. Employees shall not use a code, access another employee's messages or files, or retrieve or modify any stored information, unless authorized to do so by a supervisor. All computer pass codes must be provided to supervisors upon request.
10. Use of the system is a privilege, not a right, and any violation of this policy or use of the system for improper purposes could subject the employee to discipline, up to and including termination.
11. The City of Clinton provides supplies, equipment, and materials necessary for the employee to perform their job. These items include but are not limited to: telephones, computers, email and the internet. These items are intended to be used for the City of Clinton's purposes. Minimal, appropriate personal use may be acceptable as determined by the Department Head. Employees have no reasonable expectation of privacy with respect to any City-provided equipment whether or not employees have private access or an entry code into any system.

12. Employees may not attach any personal devices to the City's computers or the network without the prior approval of the City's IT Director.

Ethics

The City of Clinton strives to maintain a high standard of ethics. To assure that these standards of conduct are not violated, the City requires all employees to conduct their business in an ethical and legal fashion.

The City's policy concerning business conduct also covers the protection of confidential information. It is the employee's obligation to keep such knowledge and information in strict confidence. Employees with direct access to confidential information must sign a Non-disclosure and Confidentiality Agreement.

It is also expected that employees conduct their personal life in a manner that does not negatively impact the image or reputation of the City of Clinton and could be subject to discipline.

Conflicts of Interest

City employees are prohibited from engaging in any conduct which represents, or could be reasonably interpreted to represent, a conflict of interest. Employees must avoid any action which might result in, or create the appearance of using public office for private gain, giving preferential treatment to any person, or losing impartiality in conducting City business.

If an employee determines that he or she has an outside interest that may affect the City of Clinton plan or activities, or result in a conflict of interest or the appearance of such conflict, the employee must immediately report the situation to his or her supervisor.

The following are specific conflicts of interest of which violation may be cause for discipline or discharge of the employee:

Gifts

State law prohibits employees from directly or indirectly soliciting or accepting any gift having a value greater than \$2.99 as defined by Iowa Code Section 68B.

Impartiality

No City employee may grant or make available to any person, any consideration, treatment, advantage, or favor beyond that granted or made available to all citizens.

City employees must not secure special privileges or exemptions for themselves or their relatives and friends beyond that available to all citizens.

Use of Information

Employees must not use privileged information for their own financial advantage or disclose information that would provide others with financial advantages. Each employee is charged with the responsibility of ensuring that he or she releases only information that is available to the general public.

Use of Public Property

No City employee shall request, use or permit the use of any publicly-owned property, vehicle, equipment, labor, service or supplies (new, surplus, scrap or obsolete) for the personal convenience or advantage of the employee or any other person, except for that use which is generally available to the public. No City-owned property may be removed from the worksite except for the purpose of conducting City business.

If an employee is uncertain about a potential conflict of interest, the employee should notify his/her supervisor so a formal interpretation can be made.

International City Management Association

The City is recognized by the International City Management Association (ICMA). Consistent with the requirements of City Employees stated in the City's personnel manual, Employees and Councilmembers will observe the currently updated tenants of the ICMA Code of Ethics, which can be found at www.icma.org/icma-code-ethics. Members are encouraged to carefully review the full version with guidelines found on the website.

Posting of Positions

As an organization subject to the Civil Service statutes and requirements as required by Iowa law (excluding employees of the Clinton Public Library and Airport Commission), whenever a vacancy occurs in a full-time position with a department, the opening will be posted in City Hall and department location for a minimum period of 10 business days. Applications will be accepted for at least that minimum period of time. Current employees may indicate their interest in being considered for the vacancy by applying for the position within the stated posting period. The Department Head will make the recommendation on who is to fill the opening. The City of Clinton reserves the right to use other recruiting sources, and run postings concurrent to internal postings, to fill open positions at their discretion.

Drug and Alcohol Workplace Policy

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

The City is committed to the policy of maintaining a drug-free workplace. Thus, the unlawful manufacture, distribution, dispensation, possession or use of alcohol or any controlled substance by any employee in the workplace is prohibited. A controlled substance within the meaning of this policy means any controlled substance as defined by state or federal law. Any violation of this prohibition will result in discipline up to and including discharge.

The use of controlled substances, either on or off the job, is inconsistent with the behavior expected of employees, subjects all employees and the public to unacceptable safety risks, and undermines the City's ability to operate effectively and efficiently.

The Drug-Free Workplace Act of 1988 requires the employee to report any conviction under a criminal drug statute for violations occurring on the Employer's premises, or off the Employer's premises while conducting official business. ***A report of a conviction must be made to the employee's Department Head within five working days after the conviction. Failure to do so will result in the employee's immediate dismissal.***

To effectuate this commitment to a drug and alcohol-free workplace, the City has determined it must try to ensure City employees are free from the influence of drugs and/or alcohol while performing their duties. The City has developed the following Drug and Alcohol Testing Policy which, where applicable, augments existing state or federal drug testing laws which already apply to some City employees. This policy applies to all applicants for City positions and all City employees at any time they are actually performing, preparing to perform, or immediately available to perform any paid function as designated by the City.

All employees in positions requiring Commercial Drivers Licenses are subject to the federal and state laws requiring drug and alcohol testing, and those laws supersede this policy. The Federal Transit Administration has adopted drug and alcohol testing procedures covering safety-sensitive employees engaged in mass transit and those laws also supersede this policy. **See City's separate policy relating to testing of CDL employees.**

Definitions

Safety Sensitive Employee: A safety sensitive employee is an employee working in a position wherein an accident or an error could cause the loss of human life, serious bodily injury, or significant property or environmental damage, including a position with duties that include immediate supervision of a person in a job that meets the requirements of this paragraph. **This employee is usually subject to the random testing requirements of the City's CDL policy.**

Reasonable Suspicion Drug and Alcohol Test: Drug or alcohol tests are based upon evidence that an employee is using or has used alcohol or other drugs in violation of this written policy drawn from specific, objective and articulable facts and reasonable inferences drawn from those facts in light of training and experience. For purposes of this paragraph, facts and inferences may be based upon, but not limited to:

- a. Observations while at work such as direct observation of alcohol or drug use or abuse, or of physical symptoms or manifestations of being impaired due to alcohol or other drug use as described in the educational materials provided to employees.
- b. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
- c. A credible source's report of alcohol use or the use of other drugs. The City Administrator or designee will have the final determination of who is a credible source.
- d. Evidence that an individual has tampered with any drug or alcohol test during the individual's employment with the City.
- e. Evidence that an employee has caused an accident while at work which resulted in an injury to a person for which injury, if suffered by an employee, a record or report could be required under Chapter 88 of the Iowa Code, or resulted in damage to property > \$1,000 in cost, including equipment.
- f. Evidence that an employee has manufactured, sold, distributed/solicited, possessed, used or transferred drugs while on the employer's premises, or while operating the employer's vehicle, machinery or equipment.
- g. The employee's statement or admissions of drug use while he/she is a City employee.

Positive Test: An employee tests positive for drugs if any trace of an illegal substance is detected following a drug test. An employee tests positive for alcohol if he/she has a blood alcohol concentration equal to 0.040 or greater.

Illegal Drugs/Substances: Any illegal substance which has not been legally obtained or which cannot be legally obtained. This includes prescription medication for which the employee does not have a prescription and/or is not taking according to the prescription.

This policy prohibits the following behaviors:

It is the City's policy that an employee's use, sale, transfer, purchase or possession of drugs, alcohol, a controlled substance or drug paraphernalia, or any combination thereof,

by an employee while in a City facility, vehicle, vessel or aircraft, or while performing City business, including official business conducted while in one's home, is prohibited.

City employees are prohibited from consuming alcohol on the job or reporting for work under the influence of alcohol.

This policy prohibits employees from using prescription drugs unless both of the following conditions are met:

- (1) a doctor has prescribed the medication to the employee; AND
- (2) the doctor has advised the employee that the drug will not adversely affect the employee's ability to perform essential job functions without endangering the employee's safety, the safety of co-workers, or the safety of the general public. Employees using personal prescription drugs must carry the medication in the original container and the container must be labeled with the name of the employee, doctor and the drug prescribed.

Substance Abuse Education

The City will notify applicants of this drug and alcohol testing policy at the time of their first interview. The City will provide Transit and CDL required employees with drug and alcohol education, including the effects of drugs and alcohol, signs and symptoms of drug and alcohol use, assistance available for those abusing drugs and alcohol, and drug and alcohol testing requirements. Each employee and applicant will sign a form acknowledging receipt of these materials.

Prospective Employee Testing

All prospective, safety-sensitive employees who have been extended a conditional offer of employment with the City shall be informed that a condition of employment includes passing a drug test as part of the pre-employment process. If a prospective, safety-sensitive employee refuses to take a pre-employment drug test when scheduled or tests positive for a substance, that employee is ineligible for City employment for one (1) calendar year from the drug test.

If an employee is transferred to a safety-sensitive position, drug and alcohol testing under this policy is a condition of the transfer.

Random Testing

The City may, without individualized suspicion, conduct random drug and alcohol testing on safety-sensitive employees who are covered by state or federal law, and where said random testing is required by the Iowa or Federal Department of Transportation, Federal Transportation Administration or other agencies as a condition of licensing. The selection of such employees to be tested shall be done based on a computerized, randomly

generated selection process in which each member of the employee pool has an equal chance of selection. See City's separate CDL drug testing policy.

Post-Accident

Testing shall be conducted after an accident on employees whose performance could have contributed to the accident if (1) it is required by state or federal law; or (2) when reasonable suspicion exists. Any accident involving a City vehicle, or in a private vehicle on City business, which results in property damage or personal injury, or where a citation is issued, may be considered a basis for reasonable suspicion.

Reasonable Suspicion Testing

When any supervisor, manager or City official has reasonable suspicion that a City employee is under the influence of drugs or alcohol while on duty, or otherwise violating the terms of this policy, that supervisor, manager or official shall require reasonable suspicion testing.

If reasonable suspicion testing is required, the employee may not drive to or from the testing or under any other circumstances until the test is returned, and then, only if the test produces negative results. The City will provide transportation to/from the testing at the City's expense.

Testing Procedures

- a. Drug and alcohol testing shall require a presentation of a reliable form of photo identification from the person being tested to the person collecting the sample.
- b. The City will designate the type of testing to be performed on the sample collected.
- c. Drug and alcohol testing shall normally occur during or immediately before working, or immediately after working hours. The time required for such testing shall be considered work time for the purpose of compensation and benefits.
- d. The City shall pay all testing costs for pre-employment, unannounced, reasonable suspicion, regularly scheduled, or follow-up drug or alcohol testing ordered by the City.
- e. All confirmatory drug testing shall be conducted at a laboratory certified by the United States Department of Health and Human Services' Substance Abuse and under rules adopted by the Iowa Department of Public Health.

- f. In conducting drug or alcohol testing under this policy, the laboratory, any medical personnel assigned to review the test, and the City shall ensure, to the extent reasonably feasible, that the testing will measure only the use of alcohol or drugs, that the records concerning the testing show only the use of alcohol or drugs, and that the City shall make use only of information regarding alcohol or drugs in the body.

Positive Test Result

The City of Clinton follows a zero-tolerance policy. An employee who has a positive drug or alcohol test, either from random testing or reasonable suspicion testing, will be terminated.

Retention of Records

The City shall maintain all drug and alcohol testing records in a secure location with controlled access. Secure computerized recordkeeping is permitted under this policy. An employee required to possess a Commercial Driver's License for his/her position is subject to complying with pre-employment and random drug and alcohol testing and additional rules and regulations per federal law.

Requirement of Iowa Driver's License/Commercial Driver's License (CDL)

Employees who are required to drive to perform the essential functions of their position must possess and maintain a valid Iowa Driver's License or Commercial Driver's License, depending upon the position. The City's insurance carrier requires an annual review of these employees' IDOT driving record.

An employee found to have an expired (beyond the 60-day grace period) Iowa Driver's License, or Commercial Driver's License (CDL) if required for the employee's position, or who has lost his/her license for any reason, may be removed from work assignments requiring a Driver's License/CDL, and may be subject to discipline up to and including termination. Said employee must obtain a valid Driver's License/CDL within seven (7) days of the notification date by the City. If an employee fails to obtain a valid Driver's License/CDL within this seven (7) day period, the employee may be suspended indefinitely, with or without pay, until the problem is rectified, or may be terminated, at the option of the City.

An employee who commits an offense and who knows, or has reason to know, the offense may result in a license revocation, shall notify the employee's supervisor within twenty-four (24) hours of said offense or, if incapacitated or prevented from doing so, as soon as practicable. An employee who does not report this potential to his/her supervisor in accord with this provision may be immediately terminated. Further, employees charged with any offense which may lead to a license suspension or revocation shall

keep the City apprised as to the status of conviction or acquittal. Failure to follow this notification policy may result in disciplinary action, up to and including termination.

An employee who is required to possess a valid Driver's License/CDL to perform the essential functions of his/her position and who continues to drive for the City during a period of suspension or revocation will be immediately terminated.

Specific Requirements for Employees with Commercial Driver's License (CDL)

City employees who drive commercial motor vehicles and are required to have commercial drivers' licenses to perform the essential functions of their position must comply with the City's Substance Abuse Prevention Program, as required by Federal Department of Transportation Federal Highway Administration and Federal Transit Administration regulations.

Employees subject to this program are subject to pre-employment and random drug and alcohol testing and will receive appropriate training upon their appointment to any City position requiring possession of a Commercial Driver's License. In addition to the requirements set forth in the preceding section requiring notice to the City, employees are responsible for following all federal and state regulations regarding reporting of accidents to the Iowa Department of Transportation, regardless of the jurisdiction of the offense, and regardless of whether or not the employee is driving a commercial vehicle at the time of the offense.

If an employee has questions regarding this program, they should contact their supervisor or the Finance/Human Resources Department.

Workplace Privacy

Employees are advised they should have no expectation of privacy at their worksite. Any materials contained within an employee's worksite will not be kept private and will be subject to disclosure. From time to time, supervisors, co-workers and other authorized persons have a legitimate need to enter an employee's worksite, including, but not limited to, offices, City vehicles, computers, cabinets and desks to search for documents, files and other work-related items. In addition, in cases of suspected employee misconduct or criminal activity, the City may search the worksite, including personal property brought to the worksite which is used in the course of day-to-day business, for evidence of such misconduct and will cooperate with law enforcement officers in any criminal investigation. Apart from these investigatory activities, the City reserves the right to monitor all computer use, email, internet access, telephone use or other activities of employees.

Workplace Violence

The City is committed to providing a workplace free from acts or threats of violence and to effectively respond in the event that such acts or threats do occur. Therefore, the City has a policy of zero tolerance for any violent acts or threats directed by or toward any City employee, resident or visitor. Acts of violence, including threatening behavior, against employees, visitors, guests or other individuals will lead to disciplinary action, up to and including termination, and the City will cooperate with law enforcement, as appropriate, to ensure arrest and criminal prosecution of responsible individuals. Employees who become aware of workplace violence, or any threat of violence, whether by an employee or non-employee, shall immediately report such knowledge to their supervisor or other member of City management.

Weapons Policy

The City of Clinton does not tolerate violence in any form or the threat or perception of violence by or against any employee while performing his/her official duties, or due to the employee's official duties, wherever those duties are performed. Therefore, no City of Clinton employee is permitted to possess or carry firearms or other lethal weapons in City buildings, at City work sites or in City vehicles. Firearms and weapons are defined in 702.7 Code of Iowa and 724.1 Code of Iowa and include, but are not limited to, guns of any description, long knives, etc. This policy excludes firearms and weapons carried by law enforcement employees as required by their employment.

An employee in violation of this policy will be subject to discipline, up to and including termination.

Secondary Employment

City employees may not work for an outside employer whose interests might conflict with those of the City. City employees may not use their jobs with the City to further their interest on any supplemental job. City employees may not work for, or directly invest in, businesses with whom they must deal in the course of their employment with the City.

Employees of the City may engage in secondary employment which does not violate this policy may do so, so long as such secondary employment: 1) does not interfere with their employment with the City, including their availability for mandatory overtime work; 2) does not create a conflict of interest with their employment for the City; or 3) does not bring discredit upon the City. Employees shall not make personal business deals, investments, or similar arrangements with outside firms or entities with whom they must deal on a regular or irregular basis in the course and scope of their duties.

Solicitations

Employees are prohibited from conducting private business solicitations or collections on City property. Employees may solicit for fund raisers on behalf of community not-for-profit organizations or school fundraisers away from normal work areas (i.e., in approved lounge or break room areas) and on the employee's own time. Employees may post fundraising solicitation notices in approved lounge or break room areas. Employees are prohibited from fundraising solicitation outside of approved break times, and any aggressive verbal solicitation will not be tolerated. Department Heads may, at their discretion, remove any notices construed to have the potential for adversely affecting employee productivity.

Political Activities Policy

City employees, other than elected officials, shall be appointed without regard to political affiliation. However, City employees will not:

1. Use their influence, in any way, for or against any candidate for any elected office while on paid duty as an employee of the City;
2. Circulate petitions, distribute any political literature or campaign on behalf of any person running for any elected office while on paid duty as an employee of the City; or
3. Work at the polls in any capacity for any election while on paid duty as an employee of the City.

Nothing in this policy prevents or limits an employee from joining or continuing to belong to any political party, club or organization; from attending political meetings on his/her own time; from expressing his/her view on any political matters in a manner which does not disrupt the work activities of coworkers; or from voting with total and complete freedom in any election.

An employee who becomes a candidate for public office shall upon request be given a leave of absence without pay. Such leave shall commence any time within thirty (30) days prior to a primary, special, or general election in which the employee is a candidate for office. An employee who is a candidate for office shall not campaign during the course and scope of the employee's duties as an employee.

Discipline

The City strives, when reasonable to do so, to use a progressive corrective process. Poor job performance or misconduct will be noted by the supervisor, who will advise the employee to correct the deficiencies. Initially, deficiencies will be noted orally, but supervisors may document such verbal counseling in writing. Repetition of performance or misconduct problems will result in further written reprimands, followed by suspensions, with or without pay, and finally by termination. While the process is intended to be a step-

by-step corrective process, each situation is different and, depending upon the severity of the offenses and other factors, steps may be omitted when management deems it appropriate.

Behavior which will lead to disciplinary action up to and including termination includes, but is not limited to the following:

1. Unprofessional conduct, including, but not limited to, gossip, criticism, obscene or abusive language. This behavior is considered even more serious when in the public view.
2. Sleeping during working hours or giving the impression of sleeping.
3. Dishonesty of any kind concerning any work-related matter. From time to time the City may conduct workplace investigations of an employee's conduct, and any dishonesty under such circumstances is particularly serious.
4. Failure to perform duties as outlined in the employee's job description or carry out reasonable assignments or instructions.
5. Willful failure to follow the proper procedures or policies of the City.
6. Reckless horseplay.
7. Disorderly, subversive, insubordinate, immoral or indecent conduct.
8. Physical assault of fellow employees.
9. Excessive absenteeism or tardiness.
10. Threatening, intimidating, coercing or discriminating against citizens, fellow employees or others.
11. Violation of safety and health rules.
12. Operating or caring for any equipment or vehicles in a negligent or reckless manner.
13. Theft, willful destruction and/or unauthorized use or altering of property or equipment belonging to the City or any employee.
14. Disobedience, insubordination or refusal to comply with reasonable instructions of an authorized supervisor.
15. Deliberately falsifying, altering or supplying false information on City records, including payroll records and time cards.

16. Falsifying sick leave claims.
17. Unauthorized copying or disclosure of confidential City records or information without permission.
18. Failure to report an accident or serious incident as required by this Personnel Manual.
19. Working on personal jobs or carrying on secondary employment on City time.
20. Pleading guilty to, being convicted of, or being granted a deferred judgment of a felony offense.
21. Pleading guilty to, being convicted of or being granted a deferred judgment of a misdemeanor offense which involves theft, fraud, dishonesty or moral turpitude involving a minor, such that continued employment would call into public question the fitness of the employee to hold a position with a public employer.
22. Failure to keep necessary licenses and/or certification due to employee neglect.
23. Failure to maintain insurability if required as a condition of employment.
24. Carrying on a romantic relationship with a supervisor or employee in violation of the nepotism rules where the employee failed to timely disclose the same.
25. Failing to observe any of the rules contained in the ICMA Code of Ethics listed in this Handbook.
26. Violation of the residency requirements of the City Code, or lack of forthrightness or dishonesty regarding residency.

This is not an exhaustive list of prohibited misconduct. Employees must be aware of all rules and requirements applicable to their specific department and all standards applicable to the individual position they hold. The City further reserves the right to discipline employees for behavior which conflicts with the reasonable expectations of the City.

Performance Evaluations

The development of the employee and the organization as a whole is best achieved through annual performance evaluations between the immediate supervisor and employee. Reviews of job performance occur at least once annually, or more frequently in circumstances where continual employee performance issues or misconduct are noted. Temporary employees are normally evaluated at the end of the season or period of temporary employment and a satisfactory evaluation is required for future employment with the City. Evaluations are designed to identify and communicate to the employee

his/her strengths and weaknesses and also serve as a forum for discussing other employment-related issues. All employee evaluation reports shall be placed in the employee's permanent personnel file, and shall be signed by the employee and the supervisor responsible for the report.

All evaluations shall be conducted during the period of April 1st to June 30th, annually.

A conference regarding the evaluation will be held between the employee and the evaluator following the completion of the written evaluation. A copy signed by both parties will be given to the employee.

The employee shall be permitted to respond to the evaluation report, and such response will become part of the evaluation report.

Uniforms

When required, uniforms are either issued and maintained by the City or purchased by the employees. Employees are responsible for ensuring their uniforms are in good repair. Unserviceable uniforms are to be reported to management so that the issue may be rectified by the uniform company, or repaired/replaced by the employee, as appropriate based upon department rules. The employee's supervisor will explain the procedure used in the employee's department, if uniforms are required.

Dress Code

The City places a high priority on the employee's appearance. Since employees are in daily direct contact with the public, the public will remember the employee as a representative of the city and will be watching how the employee looks, acts and talks. We expect our employees to dress and groom themselves during working hours in such a manner to reflect favorably upon the employee and the City. Employees should dress in accordance with the requirements of the position.

Employees who are not required to wear uniforms must dress neatly and appropriately, so as to properly represent their position and authority within the City organization. In addition, employees are required to have good personal hygiene. As representatives of the City who serve many types of citizens, it is important to dress in a reserved manner which projects a professional appearance.

Employees will not wear shirts, buttons, hats or other clothing with obscene or offensive words, terms, logos, pictures, cartoons, curses, racial slurs or similar slogans.

At the discretion of Department Heads, denim jeans/pants and shorts are acceptable attire, provided they are clean and not torn or frayed. City Hall office personnel will not wear jeans, except on casual Fridays or other days when approved by the City Administrator.

Iowa Smoke-Free Air Act Policy/Use of Tobacco

Smoking by employees or any other person is prohibited in all City buildings, in all City vehicles, and on all City property. This prohibition includes “vaping” and all use of electronic smoking devices. Employees must sign a commitment not to use tobacco products on or off duty as a precondition of the employment with the City of Clinton.

The Iowa Smoke-Free Air Act greatly restricts smoking in the State of Iowa. If an employee sees someone violating this law or is told that someone is violating this law, the employee must investigate and inform the person of the law. If a smoker fails to comply with the law after being so informed, employees must call the police.

Employees who use tobacco pose a serious health risk to themselves, and their secondhand smoke poses a serious health risk to others. City employees who smoke and use smokeless tobacco off duty are strongly encouraged to quit by enrolling in smoking cessation classes or taking over-the-counter or prescribed smoking cessation medication or both.

Nepotism Policy

The City of Clinton is committed to a work environment that is free of the appearance of favoritism based on family relationships. Members of an employee’s immediate family will be considered for employment on the basis of their qualifications. Immediate family may not be hired, however, if employment would:

- Create a direct supervisor/subordinate relationship with a family member, or
- Have the potential for creating an adverse impact on work performance, or
- Create either an actual conflict of interest or the appearance of a conflict of interest.

This policy must also be considered when assigning, transferring or promoting an employee. A relative shall include spouse, child, grandchild, grandparent, brother, sister, uncle, aunt, nephew and niece, as well as the spouses of such relatives and half and step relationships of these levels and their spouses. Notwithstanding the foregoing, the strictures of this provision may be modified or waived by the City Administrator under circumstances where the anticipated potential problems are minimal and where reasonable precautions are in place to avoid direct supervisory conflicts.

If an employee becomes an immediate family member with another employee during the employee’s employment, or if an employee establishes a romantic relationship with another employee, the City will attempt to make accommodations to eliminate the inherent problems with such a relationship through a transfer or other arrangement, but if no such accommodations are possible, the City may, in its complete discretion, discharge one of the employees.

Residency Requirement Policy

All full-time police and fire personnel employed by the city after May 1, 2018 must reside within or establish a residency within the State of Iowa and shall reside within ten miles of their place of employment within two years after their first day of work, and must remain a resident of the state and reside within ten air miles of their place of employment throughout their period of employment with the city. All full-time police and fire personnel who already reside within the state at the time of hire shall reside within ten air miles of their place of employment within one year after their first day of work, and must retain residency within ten air miles of their place of employment throughout their period of employment with the city.

All full-time city employees, except police and fire personnel, employed by the city after May 1, 2018, must reside within the municipal limits of the city. These residency requirements are a condition of employment with the city.

Place of Employment means the location of city police or fire headquarters.

Residency means the primary address where the full-time employee lives at least 75% of the time, and where said employee receives mail on a regular basis.

Separation from Employment

When an employee wishes to separate from City employment, a minimum of two weeks' written notice to the employee's immediate supervisor is required. With such notice, separating full-time employees shall receive compensation for accrued vacation and comp-time due the employee upon separation under Iowa law. Unused sick leave will not be paid. Part-time and temporary employees will receive a paycheck for pay through their last day of work.

Maintenance of Personnel Records

Employees will promptly notify the Finance/Human Resources Department using the city's personnel change form of any changes in name, address, telephone or familial/marital status so the appropriate record changes may be made.

In addition, full-time employees enrolled in the health insurance plans are specifically required to report life status changes (for example, birth or adoption of a child or marriage) within thirty (30) days of the event, to the City's finance/human resources department. If the notification of the change is not made within this timeframe, changes of benefits or allocation may not be permitted until the next open enrollment period. Employees should contact the Finance/Human Resources Department with any questions.

Personnel files are maintained by the Finance/Human Resources Department. Personnel files include original employment data relating to application, compensation, performance evaluations, discipline, and commendations. Additions to these files may be made by City management as appropriate. General access to employee files is limited to the Finance/Human Resources designee, HIPPA-certified manager, or other managers with authorized access.

Employees may review their personnel files upon request. Personnel files are the property of the City. Employees may request a copy of their complete personnel file while employed with the City. There may be a nominal charge to cover the cost of duplicating the file. Files may be reviewed with reasonable advance notice to the Finance/Human Resources Department. All file reviews shall be supervised to ensure no tampering or theft of documentation occurs.

At no time shall a personnel file be removed from the City offices. No disciplinary documentation shall be removed from a personnel file, regardless of subsequent good behavior. Disciplinary documentation is intended to make a record of employee behavior and shall remain in the file in perpetuity.

Pay Day

Employees shall be paid semi-monthly on the 15th and the last day of the month. Paychecks and proof of remittance (i.e. pay stub or electronic confirmation, depending upon the employee) will be distributed by the Department Head or the Department Head's designee.

Payroll Direct Deposit/Distribution of Paychecks

Employees are encouraged to use direct deposit to electronically transfer their paycheck to the bank or credit union of the employee's choice, provided it is EFT equipped. To arrange for payroll direct deposit, employees must complete the form provided by the Finance/Human Resources Department. Paychecks for those employees who have not selected direct deposit are distributed to employees by the Department Head or his/her designee each payday.

Sick Leave

All full-time employees shall be entitled to accrue sick leave. If an employee is subject to a collective bargaining agreement, that agreement shall govern sick leave.

Non-bargaining employees shall accrue 112 hours of sick leave in a year, at a rate of 9.33 hours per month of continuous service. During the calendar month of employment sick leave is earned at the rate of 1/30th or .311 hours per day. Sick leave may be accrued up to a maximum of 960 hours so that an employee will have leave available for an illness/injury of lengthy duration. Any sick leave accrual ceases to exist upon

termination of employment or retirement from the City. An employee will not be paid out for any sick leave accruals.

The intent of sick leave is to replace wages when an employee is unable to report for work due to a non-work, related personal illness or injury. Sick leave is also intended to be used for medical and dental appointments. Sick leave may also be used for the illness or medical or dental appointments of immediately family under the care of the employee.

Employees are to report absence due to sick leave to their supervisor at least 30 minutes before the start of their shift or as soon as possible thereafter in the case of incapacity or lack of ability to timely report the absence. Failure to report may result in denial of the sick leave benefit. Sick-leave usage for an illness/injury may require a written release to full duty from the treating physician, in the complete discretion of the employer. Any falsification of a sick leave will result in disciplinary action up to and including termination. The City reserves the right to demand, at any time, medical documentation of illness in order to ensure honest use of sick leave.

Leave under the Family and Medical Leave Act shall be calculated concurrently with sick leave for FMLA-qualifying health conditions. Employees, including but not limited to Chapter 411 employees, are required to timely provide FMLA certification paperwork from their physician upon request of the Finance/Human Resources Department, and failure to provide said paperwork in a timely manner may result in disciplinary action up to and including termination. If an employee's non-work, related illness or injury requires leave beyond the accrued leave available, an employee may take leave unpaid until the total leave time equals 12 weeks.

Any medical records or similar confidential materials required by the City will be provided to the City's HIPPA-authorized personnel in the Finance/Human Resources Department.

All medical documentation submitted to verify sick leave usage must be placed in a sealed envelope and sent directly to the Finance/Human Resources Department HIPPA-authorized person. Medical documentation is defined as written verification which states diagnosis or nature of illness to determine eligibility for sick leave usage. This information is of a confidential nature and will be placed in a secured file. However, return to work releases must be presented to an employee's immediate supervisor prior to their return to work.

While on sick leave, employees are expected to be at home, at a medical care facility, pharmacy, or place of convalescence, unless traveling expeditiously from one of these places to another.

The U.S. Department of Health & Human Services Privacy rule does not prevent your supervisor or others from asking you for a doctor's note or other information about your health if your employer needs the information to administer sick leave, workers' compensation, wellness programs, or health insurance.

Paid Vacations

All full-time employees shall be entitled to earn/accrue vacation time. If an employee is subject to a collective bargaining agreement, that agreement shall govern vacation accruals. Non-bargaining employees will earn vacation based upon the following years of service:

Date of Hire - One (1) year - Forty (40) hours

Two (2) years – Four (4) years - Eighty (80) hours

Five (5) years – Nine (9) years – One Hundred and Twenty (120) hours

Ten (10) years – Fourteen (14) years - One Hundred and Sixty (160) hours

Fifteen (15) years – Nineteen (19) years – Two Hundred (200) hours

Twenty (20) or more years - Two Hundred and Forty (240) hours

All vacation time will be credited to the employee effective January 1 of each calendar year. Vacation time will not be advanced to any employee.

All vacation leave is subject to approval by an employee's supervisor and Department Head according to the needs of the department. Seniority may take precedence in cases where two employees request vacation at the same time.

If a City-observed holiday occurs during an employee's vacation then vacation time is not charged for that day. Upon separation an employee is paid for unused vacation hours. Vacation leave may not be carried over from one calendar year to the next unless authorized by the Department Head and/or City Administrator.

Holidays

If an employee is subject to a collective bargaining agreement, that agreement shall govern observed holidays.

Non-bargaining employees will be compensated at their regular rate of pay for the following holidays:

New Year's Day, Memorial Day, Independence Day,

Labor Day, Thanksgiving Day, Friday after Thanksgiving,

Christmas Eve Day, and Christmas Day, and New Year's Eve Day.

Three paid personal holidays, which may not be carried over from year to year.

For those employees whose regular work week is Monday through Friday, when a holiday falls on a Saturday, the preceding Friday will be observed as the paid holiday. If said holiday falls on a Sunday, then the subsequent Monday will be observed as the paid holiday.

Additionally, all military veterans will be provided Veterans Day as one of their three personal paid holidays, if they so choose. Battalion Chiefs within the Fire Department shall utilize the holiday schedule of Local 609 Fire Collective Bargaining Unit.

Transfer of Accrued Sick or Vacation Hours Due to Catastrophic Events

Upon approval by the Department Head, Finance/Human Resources Department, and City Administrator, an employee with accrued vacation hours may voluntarily transfer a specified number of accrued vacation or sick leave hours to another employee who has experienced a catastrophic event and has exhausted all available paid leave.

A request must be made and the following must be confirmed before approval will be granted:

1. Paid leave (applicable to event) is exhausted
2. A catastrophic event has occurred.
3. Total number of transfer hours.

Transfers are strictly voluntary and will be submitted on a leave request form marked "Other" with number of hours to transfer and the recipient's name in the "Description." The recipient will complete a Leave Request form in the standard manner. Transfers will be kept confidential.

Eligibility will be determined on a case-by-case basis and no case will set precedent.

Jury Duty/Subpoenaed Employees

Employees compelled during working hours to appear before a court or other public body or who are required to perform jury duty shall be paid their regular wages for each hour of court or jury duty. Employees will endorse any check received for such service over to the City, but employees may retain mileage reimbursement. Employees who are dismissed from said service or testimony before the end of the work day shall report for duty for the remainder of the work day. Employees appearing on matters in which they are personally involved (i.e., plaintiff or defendant) must take an appropriate paid leave or take unpaid leave for the period of time away from work due to their court appearance.

Military Leave

Per Iowa Code Section 29A.28, the City of Clinton grants a leave of absence to employees for state or federal military service without loss of pay for thirty days of leave in a calendar year. For Fire Department employees working 24-hour shifts, paid military leave shall be determined based on an hourly basis with 240 hours available for said leave per calendar year. Unused military hours during a calendar year are not allowed to be carried over to the next calendar year. However, the annual hours shall be available

at the first of the year. When a military member is called to active duty, the “first thirty days of leave” is paid during the first 30 consecutive calendar days of active duty as if the military member was working.

Military-related service leave includes, but is not limited to:

- a) active duty;
- b) active duty for training;
- c) inactive duty training (such as drills);
- d) initial active duty training;
- e) funeral honors duty performed by National Guard and reserve members;
- f) an examination to determine fitness to perform any such duty;
- g) the time period for which the military member is absent from City employment for the purpose of receiving treatment for a military-related injury, or
- h) the time period during which the military member is absent from City employment and receiving military compensation, including NCAP pay.

After the thirty days of paid military leave are exhausted within a calendar year, the military member may request paid vacation leave, applicable personal leave or paid compensatory time. Military-related illnesses or injuries, which require medical treatment after a military member is released from active duty and result in leave, are considered military-related service leave and upon the exhaustion of an employee’s thirty paid military leave days in a calendar year, the employee may be eligible for sick leave.

The military member is required to provide written verification authorizing all military-related leave. In the event written verification is not immediately available, the City allows the military member up to thirty calendar (30) days to present said documentation. An extension may be granted for good cause. However, if the military member does not provide acceptable verification within a reasonable time period, the leave may be considered unexcused, at the sole discretion of the City, and the military member may be subject to discipline, up to and including termination.

Military members are required to report back to work as follows:

- a) Military service of 1 to 30 days: At the beginning of the next regularly scheduled work day that falls at least eight hours after the military member returns home.
- b) Military service of 31 to 180 days: Application for reemployment may be required to be submitted to the employee’s supervisor no later than 14 days after completion date of the military member’s service.
- c) Military service of 181 or more days: Application for reemployment may be required to be submitted to the employee’s supervisor no later than 90 days after completion of the military member’s service.

Bereavement Leave

All full-time employees shall be allowed time off in the event of the death of a family member. Each employee's collective bargaining agreement provides a definition of a family member and states how bereavement leave is to be determined.

For non-bargaining employees, an employee may request up to three (3) consecutive working days with pay for bereavement leave resulting from the death of an immediate family member defined as a spouse, child, step-child, grandparent, grandparent-in-law, grandchild, parent, parent-in-law, sister, sister-in-law, brother, and brother-in-law. Bereavement leave may be extended to five (5) working days by the Department Director with the approval of the City Administrator. An employee may also request up to four (4) hours with pay for funeral leave to attend the funeral of a friend or relative who is not an immediate family member.

Severe Weather and Other Emergencies

Most City employees provide vital services during severe weather and other emergencies and are required to work during these conditions.

When severe weather or other emergencies prevent employees from performing their usual duties, employees will be assigned other work either in their normally assigned departments or in other departments where help is needed. If it is determined no work is available for employees during severe weather or other emergency, supervisors may, upon the City Administrator's approval, direct employees to not report to work. When full-time or part-time employees have already reported to work, employees may be sent home. Under such circumstances, employees will be paid their regular rate of pay for the number of hours previously scheduled. Under such circumstances, temporary employees will be paid only for hours actually worked.

Unless otherwise excused by the City Administrator, employees who choose not to report to work shall use earned compensatory time, vacation or leave without pay for their absence.

Compensatory Time Accrual

The City of Clinton does provide for compensatory time to be accrued in place of overtime pay. Each bargaining unit contract provides for how compensatory time is to be earned, accrued, and used. Non-bargaining employees may accumulate up to 80 hours in comp time but may only carry over 40 hours of comp time from one calendar year to the next.

Insurance & Retirement Benefits for Full Time Employees

This portion of the Employee Handbook contains a very general description of the benefits to which you may be entitled as an employee. This general explanation is not intended to, and does not, provide you with all the details of these benefits. Therefore, this handbook does not change or otherwise interpret the terms on the official plan

documents. Your rights can be determined only by referring to the full text of the official plan documents, which are available for your examination.

Please see your collective bargaining agreement or policy manual for more information about the details of your benefits.

Medical Insurance

The City of Clinton provides medical insurance for every full-time employee of the City. The City of Clinton is self-insured and provides a Preferred Provider Option (PPO) Plan for all employees. Coverage begins on the first day of employment and ends on the last day of employment.

Retirees having more than 7 years of service with the City of Clinton and 55 or older are eligible for insurance coverage. These employees must pay the full premium for any elected coverage.

Claims questions should be directed to the number on the back of the insurance card. For additional information about plan designs, premiums, and coverages, please refer to your plan summary document provided upon hire, or contact the Finance/Human Resources Department.

Dental Insurance

The City of Clinton provides dental insurance for every full-time employee of the City. The City utilizes Delta Dental for its dental coverage. Coverage begins on the first day of the month following an employee's hire date and ends on the last day of employment.

Enrollment and changes in employee status or information should be turned into the Finance/Human Resources Department. Claims questions should be directed to Delta Dental at 800-544-0718.

Life Insurance

The City of Clinton provides a \$20,000 life insurance policy to every full-time employee of the City. This policy begins on the first day of employment and ends on the last day of employment.

An employee may purchase voluntary life coverage for his/her spouse and dependents through the City's group policy. This is done through a post-tax payroll deduction. Please see the Finance/Human Resources Department for more information.

Retirement Benefits

Iowa law requires most full-time, part-time and some temporary employees to participate in the Iowa Public Employees Retirement System (IPERS), which requires that employees (except fire and police) and the City contribute a set percentage of gross pay each paycheck.

Full-time sworn police department employees, firefighters and fire officers are required to contribute a set percentage of gross pay each paycheck to the Municipal Fire and Police Retirement System of Iowa (MFPRSI). The increases/decreases to the contribution percentages are set annually and changes occur effective July 1. Current and, if available, future contribution rates are posted on the www.ipers.org and www.mfprsi.org websites.

When an IPERS employee leaves employment prior to being eligible for retirement, the employee has the option of receiving a full refund of the employee's contribution plus interest and, if vested, a portion of the City's contribution, or the employee may leave contributions in the IPERS fund and receive guaranteed retirement benefits. A MFPRSI employee has similar options and may call MFPRSI at 888-254-9200 for more information on MFPRSI options. Other mandated deductions include tax withholdings, Social Security and Medicare deductions, and wage garnishments when authorized by a court of law.

MFPRSI participants are exempt from participation in Social Security; however, those hired after 1/1/86 are required to contribute 1.45% to Medicare.

Full-time and part-time employees have the option of making voluntary payroll deductions to the International City Management Association's Retirement Corporation (ICMARC). Both are subject to the rules and regulations of Section 457 of the Internal Revenue Code, which is similar to a 401(k) plan or an IRA.

The City of Clinton also offers employees an optional deferred compensation programs through VOYA, ICMA-RC, or Nationwide Retirement Services. These programs allow you to set aside a portion of your current income into a tax-deferred supplemental retirement account.

Employee Assistance Program

The City offers an Employee Assistance Program (EAP) to help all full-time and part-time employees and their immediate families cope with personal problems which may interfere with work performance. This voluntary program operates under confidential self-referral as well as supervisor referral. Professional counselors help employees find ways to deal with problems related to physical, mental and/or emotional illness or stress. This help includes concerns related to chemical dependency, marital, personal, financial and/or family situations and also provides limited legal assistance. Employees in need of these services are strongly encouraged to seek help through this program. EAP counselors provide short-term counseling and referral services without charge. Expenses beyond those covered by the EAP program incurred by the employee or the employee's immediate family member for recommended extended diagnosis or treatment may be eligible for some reimbursement in accordance with the City's health care plan.

Whenever an employee voluntarily uses the EAP program, employee concerns are kept in the strictest confidence by EAP counselors. This confidentiality means no City official or employee will be informed that the employee has used this program. The only exception to this confidentiality requirement is when an employee is required to seek counseling by the City due to documented disciplinary issues and accordingly signs a release as a condition of continued employment. In such cases, the employee's supervisor and the Finance/Human Resources Department must be kept apprised of compliance with the counselor's recommended treatment plan.

Employees' immediate family members are also eligible to seek help from this program and may do so without the employee's knowledge.

I.R.S. Section 125 – Flexible Spending Accounts

The City offers Flexible Spending Accounts through American Fidelity, in which all full-time employees may participate on a voluntary basis. This plan allows employees to set aside pre-tax money to pay for health-related costs that are not covered by insurance (e.g., deductibles, co-pays, contacts and contact solutions, eye glasses, mileage reimbursement for medical appointments, etc.) and to pay for dependent care, such as child care services. Employees must elect to participate in this program each year effective July 1. The monthly allocation is automatically deducted from each paycheck. This benefit can result in a substantial tax savings to employees, but careful planning is necessary before determining whether to participate in this program. More information is available in the Finance/Human Resources Department.

Recovery of Lost Property

City employees who find lost property must immediately present it to their supervisor. Per Sections 556F.3 and 556F.4, Code of Iowa, the property must be turned over to the City Clerk and advertised, per statutory language, to seek out the rightful owner. If no person claims the lost property, the property will be returned to the City employee, if valued under \$20.00. If the property is valued over \$20.00, the property will be delivered to the Sheriff's office, sold at public auction to the highest bidder, and proceeds will be paid to the City.

Use of City Vehicles/Travel Expenses

Employees may be assigned vehicles for use on City business. City vehicles shall be operated for City business only. Mileage reimbursement for use of private vehicles for City business requires prior approval. Employees may receive reimbursement for reasonable lodging and per diem for meal expenses incurred during out-of-town travel on City business. A Travel Expense Report must be submitted at least two weeks in advance of any travel in accordance with the City's travel policy, and all reimbursement must be approved by the Department Head and the Finance/Human Resources Department. See the City's travel policy in the Finance Department.

Safety

The City is committed to providing and maintaining a safe and healthy work environment. Each and every employee is responsible for knowing and complying with all safety policies, regulations and rules which apply to his/her job. All employees are required to take appropriate safety precautions, including wearing and using safety equipment as directed. Employees will be subject to discipline, up to and including termination, for violating safety rules.

Employees are responsible for observing safety rules and all safety training offered by their respective departments. Please see the City of Clinton Safety Manual for further details.

Departmental Bulletin Boards and E-mail Monitoring by Employees

All City employees are responsible for reviewing information posted on bulletin boards in their work areas each workday, and for reviewing their email messages each workday if the employee has been provided an email address. The City periodically posts information of interest to City employees, including safety-related and other critical information, on departmental bulletin boards and in email. Failure to monitor these notices may lead to disciplinary action, up to and including termination.

CITY OF CLINTON
ACKNOWLEDGMENT

I, _____, an employee of the City of Clinton, hereby certify that I received the City of Clinton Employee Handbook, revised July 1, 2021, and completed reading said Handbook on the date following my signature below.

I understand that all employees of the City are subject to, and shall comply with, all rules, policies and procedures contained in the Employee Handbook.

Lack of knowledge of the rules, policies and procedures will not be considered an excuse for non-compliance and it is with this understanding that I read all of the contents of this Employee Handbook and will read newsletters, payroll inserts and departmental bulletin board postings to stay current with policies and other notices to employees. I understand failure to comply with any of the work rules, policies or procedures may result in discipline, up to and including termination.

If a particular City rule, policy or procedure conflicts with the collective bargaining agreement, the collective bargaining unit agreement will prevail.

Employee's Signature

Date

Addendum A

To:

From:

Date:

Re: Offer of Temporary Alternate/Light Duty (TAD)

This serves as an offer of Temporary Alternate/Light Duty (TAD) pursuant to Iowa Code Section 85.33(3)(b) from your employer. Specifically, the City is offering you work as a _____, which entails you doing the following:

- 1) This work required of you in this temporary position is within your stated work restrictions, as determined by your treating physician, Dr. _____ and is therefore deemed suitable under Iowa law.
- 2) If you refuse this offer of transitional work, you must communicate your refusal and the reason for your refusal to the City in writing, including whether your refusal is based on your assertion that the work is or is not suitable. During any period of refusal, you will not be compensated with temporary total, temporary partial, or healing period benefits, unless the work refused is not suitable.

If you have any questions regarding this offer of work, please contact _____ at (563) _____.

If you accept this offer of work, please sign the acceptance below. If you refuse this offer of work, please sign the refusal on the attached page. Please respond to this offer of work within seven (7) days of the date of this offer.

I, _____, accept my employer's offer of work as described in the offer above. I understand I must follow my restrictions as stated by my doctor during my period of temporary alternate/light duty and that failure to do so may lead to disciplinary action up to and including termination.

Signature

Date

Printed Name

Addendum A(1)

To:

From:

Date:

Re: Refusal of Temporary Alternate/Light Duty (TAD)

I, _____, refuse my employers offer of work made on _____ and as described in the offer on the previous page. I am refusing this work for the following reasons:

I understand that, under Iowa law, I must make a refusal of work in writing and that if I am refusing the work because it is not suitable, I must state the basis for this allegation in my written refusal. Finally, I understand that during any period of refusal, I will not be compensated with temporary total, temporary partial, or healing period benefits, unless the work refused is found not to be suitable. Further, refusal to perform work within my stated restrictions may lead to disciplinary action up to and including termination.

Signature

Printed Name

Date

**CITY OF CLINTON
EMPLOYEE HANDBOOK**

INDEX

TOPIC	PAGE
Accommodating Mental/Physical Disability	8
Accrual Transfers	41
Acknowledgement	48
Anti-Retaliation	6
Appointments and Work Schedules	15
Bereavement Leave	42
Cellular Phone Use	21
City Vehicles / Travel	46
Classification & Compensation	16
Compensatory Time	43
Complaints	6
Computer & Internet Use	22
Conflicts of Interest	23
Dental Insurance	44
Discipline	32
Discrimination	6
Dress Code	35
Drivers License and CDL Requirements	29
Drug and Alcohol Workplace Policy	25
Employee Assistance Program	45
Employee Communications	47
Employee Orientation	15
Employee Status	14
Equal Opportunity Policy	4
Ethics	23
Family & Medical Leave Act	8
Flex Spending Accounts	46
Harassment and Retaliation	5
Hiring	14
Holidays	40
International City Management Association	24
Investigations	6
Job Descriptions	13

Jury Duty	41
Landline Telephone Use	21
Life Insurance	44
Maintenance of Personnel Records	37
Medical Insurance	44
Military Leave	42
Nepotism Policy	36
Off-the-Job Injury or Illness	21
On-The-Job Injury of Illness	17
Overtime	16
Pay Day	38
Payroll Direct Deposit	38
Performance Evaluations	34
Physical Examinations	14
Political Activities Policy	32
Posting of Positions	25
Post-Offer Drug Testing	14
Promotions	16
Recovery of Lost Property	46
Residency Requirement	37
Retirement Benefits	44
Return to Work Program	18
Safety	47
Secondary Employment	31
Separation from Employment	37
Severe Weather & Other Emergencies	43
Sick Leave	38
Smoke-Free Air Act	36
Solicitations	32
TAD/Light Duty Refusal Form	50
Temporary Alternate/Light Duty Form	49
Uniforms	35
Use of Medications	17
Vacation Time	40
Veterans Preference	14
Weapons Policy	31
Workplace Privacy	30
Workplace Violence	31