

CITY OF AMES

PERSONNEL POLICIES AND PROCEDURES

10/1/2015

NOTE:

Nothing in these Policies and Procedures shall constitute, either explicitly or implicitly, a contract for services between the City of Ames and its employees.

Mission Statement for City of Ames Employees

We are caring people, providing quality programs
with exceptional service to a
community of progress.

We Value...

Continuous improvement in our organization and our services.
Innovation in problem solving.
Employee participation in decision making.
Personal and professional development.
Each other as we work together to serve the community.

We Are...

Proud to provide superior services to our community.
Professional and objective as we address public concerns and needs.
Fair, flexible and helpful in our actions.
Efficient, and fiscally responsible.
Proactive in reviewing and evaluating the type and focus of our services.

Caring People, Quality Programs, Exceptional Service

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Chapter 1 General Provisions

1.1 Statement of Purpose

The purpose of these Policies and Procedures is to establish a fair and equitable system of personnel administration that will facilitate efficient and effective public service for the City of Ames.

1.2 Scope of Policies and Procedures

These Policies and Procedures shall apply to all regular and probationary City employees, excluding employees of the Ames Public Library and Mary Greeley Medical Center, where not in conflict with collective bargaining agreements or applicable law. Bargaining unit employees shall not be granted wages or benefits not provided by the respective collective bargaining agreements. These Policies and Procedures shall be applicable to temporary employees as specified.

1.3 Merit Principles

Personnel actions including, but not limited to, employment and pay shall be on the basis of merit.

1.4 Adoption and Policy Amendment

These Policies and Procedures are adopted by resolution of the City Council. Policy amendments shall become effective upon consideration and adoption by the City Council.

1.5 Administrative Regulations

The City Manager may adopt, amend, and rescind administrative policies and procedures not in conflict with these Policies and Procedures as necessary for the proper administration of the City. Department heads may adopt, amend, and rescind departmental administrative policies and procedures not in conflict with these Policies and Procedures, or the City Manager's directives, as necessary for proper departmental administration.

Chapter 2 Definition of Terms

2.1 Purpose

The purpose of this chapter is to identify and define specific words and phrases as they are used in these Policies and Procedures.

2.2 Terms Not Defined in This Chapter

Where a term is not defined in this chapter or in the remaining text of these Policies and Procedures, the common sense meaning shall apply.

2.3 Definition of Terms

Administrative Time - unaccrued discretionary paid time off for managerial, professional, and administrative employees who are not eligible for overtime under the Fair Labor Standards Act.

Advancement - a salary increase within the limits of a pay range established for a class.

Affirmative Action - those actions appropriate to overcome the effects of past or present practices, policies, or other barriers to equal employment opportunity.

Allocation - the assignment of a position to its proper class in accordance with its duties and responsibilities. Assignment of a job class to the appropriate grade in the Pay Plan.

Appeal - an application for review by a higher authority of an alleged grievance submitted or instituted by an employee to a higher authority.

Appellant - the employee submitting an appeal on any matter.

Applicant - person who has completed an application and/or other processes required to be considered for employment.

Appointing Power - the individual who possesses the final authority to make an appointment to the position to be filled as specified in the Code of Iowa.

Appointment - the offer of and acceptance by a person of a position either on a regular or temporary basis.

At-Will Employment - a legal term meaning that either the employee or the employer may terminate the employment relationship at any time for any reason, or no reason.

Benefited Employee - a regular or probationary employee whose normal work schedule is at least 20 hours per week and who is otherwise eligible for benefits.

Certification - endorsement by the Civil Service Commission as eligible for appointment to a position within a job class.

City Service or **Service of the City** - all positions in all departments which are subject to control and regulation by the City Council except the employees of Mary Greeley Medical Center.

Civil Service - all regular full-time positions of employment in the service of the City except those exempted by Section 400.6 of the Code of Iowa.

Class - all positions sufficiently similar in duties, authority and responsibility to permit grouping under a common title and application of common standards of selection, transfer, promotion, and salary.

Class Specification - a written description of a class consisting of a class title, a general statement of the level of work and of the distinguishing features of work, examples of duties, and the minimum qualifications for the class.

Commission - the Civil Service Commission appointed as required by Chapter 400 of the Code of Iowa.

Compensation - total salary, wages and benefits earned by or paid to any employee by reason of City employment.

Compensatory Time-Off - time off from work in lieu of monetary payment for overtime worked.

Demotion - the movement of an employee, other than by reclassification, from one class to another class having a lower maximum rate of pay.

Discharge - the separation of an employee for cause.

Discrimination - unlawful differential treatment regarding the terms or conditions of employment because of race, sex, color, creed, national origin, ancestry, religion, age, disability, sexual orientation, or gender identity.

Eligible - a person whose name is on an eligibility or preferred list.

Eligibility List - a list of persons certified by the Civil Service Commission as eligible for appointment.

Employee - a person who is employed by the City and is compensated by salary or hourly wages. Not included are elected officials, appointed members of boards and commissions, volunteers, contractors, and employees of contractors.

Equal Employment Opportunity - the absence of practices and policies that result in unlawful discrimination against a current employee or applicant on the basis of race, sex, color, creed, ancestry, national origin, age, disability, sexual orientation, or gender identity.

Exempt Classification - a job not subject to the provisions of the Fair Labor Standards Act with respect to minimum wages and overtime.

Immediate Family - See Section 10.9 Emergency Leave and Section 20.6 Employment of Relatives for specific definitions.

Lateral Appointment - the movement of an employee from one position to another position in a different class but in the same pay grade, other than by reclassification.

Layoff - the involuntary, non-disciplinary separation of an employee from a position because of a reduction in the number of positions.

Leave - an approved absence from work as provided for by these Policies and Procedures.

Overtime - authorized time worked by an employee in excess of regular work schedule as provided for in the Fair Labor Standards Act or elsewhere in these Policies and Procedures.

Pay Plan - the official pay schedule approved by the City Council assigning a rate of pay to each class.

Point-Factor System - a method of job evaluation in which jobs are assigned points based on levels of job content factors. The total points of a job class determine the pay grade to which it is allocated.

Position - any office or employment, whether occupied or vacant, full-time or part-time, consisting of duties and responsibilities assigned to one individual by competent authority.

Preferred List - a list of persons who have been laid off from a classification within the City service.

Probationary Employee - an employee who has been certified, but who has not completed the probationary period as provided in these policies.

Probationary Period - a working test period during which an employee is required to demonstrate the ability to meet performance standards for the position to which appointed.

Promotion - the movement of an employee other than by reclassification from one class to another class having a higher maximum rate of pay.

Reclassification - the reassignment of an authorized position from one class to another class. Also refers to the action modifying the classification status of the incumbent of the reclassified position.

Regular Appointment - an appointment without time limitation or special restrictions as to continued employment, to a position in the City service. Not included are temporary appointments.

Regular Employee - an employee who has successfully completed the probationary period following regular appointment. A regular employee may be either full-time or part-time.

Rejection - separation of an employee during or at the completion of the probationary period.

Salary Reduction - a salary decrease within the limits of the pay range established for a class.

Suspension - the temporary separation of an employee, without pay, for disciplinary purposes.

Temporary Appointment - an appointment that is time-limited by its nature and purpose, such as casual, replacement, intermittent or seasonal employment. Temporary appointments to positions under Civil Service shall be made in accordance with applicable law.

Termination - the separation of an employee from the service of the City, including death, rejection, discharge, layoff, resignation or retirement.

Transfer - the movement of an employee from one position to another position in the same class.

Chapter 3

Equal Employment Opportunity And Affirmative Action

3.1 Purpose

To ensure that the principles of equal employment opportunity and affirmative action are incorporated in all aspects of the City's human resources programs and activities.

3.2 Equal Employment Opportunity and Affirmative Action Policy Statement

The City of Ames affirms its commitment to providing Equal Employment Opportunity for all employees and applicants of the City. No personnel decision or action shall be unlawfully influenced in any manner by consideration of an individual's race, sex, color, creed, religion, national origin, ancestry, age, disability, sexual orientation, gender identity, or genetic information. The City of Ames Affirmative Action Policy and Program is hereby incorporated into these Personnel Policies and Procedures.

The City of Ames will also identify areas of the workforce where members of a particular sex or race are under-represented and take affirmative action to eliminate those deficiencies. This will be done in accordance with the Affirmative Action Plan.

3.3 Responsibility

1. Human Resources Director

- a. The Human Resources Director will ensure that all employment policies and practices of the City are administered without regard to race, sex, color, creed, religion, national origin, age, disability, sexual orientation, or gender identity, or genetic information consistent with applicable laws.
- b. The Human Resources Director will be responsible for the development of an affirmative action plan and will provide general direction, coordination, and assignment of responsibility for the operation and implementation of programs established under the Affirmative Action Plan.
- c. The Human Resources Director shall appoint a staff member to act as Affirmative Action Officer.
- d. The Human Resources Director may at his/her discretion assume any or all of the duties or responsibilities of the Affirmative Action Officer. The Human Resources Director may, with the approval of the City Manager, designate, appoint, or engage a person or persons to conduct any investigation under the provisions of this Chapter.
- e. If, in the judgment of the City Manager there would be a conflict of interest in the roles of the Human Resources Director, Affirmative Action Officer, or the City Manager in conducting any investigation or performing other functions under this Chapter, the City Manager may designate, appoint, or engage a person or persons

to conduct the investigation or perform other such functions as the City Manager may deem appropriate.

2. Affirmative Action Officer

- a. The Affirmative Action Officer is responsible for monitoring and implementing the City's Affirmative Action Plan on a day-to-day basis.
- b. The Affirmative Action Officer is available to each employee and to each applicant for employment for the purpose of providing information, counseling, or assistance on any matter relating to the Affirmative Action Plan or City employment.
- c. The Affirmative Action Officer will update the Affirmative Action Plan annually and submit it to the Human Resources Director for approval.

3. City department heads, managers, and supervisors are responsible for proactively promoting the principles of Equal Employment Opportunity and Affirmative Action within their realm of authority in accordance with these policies and the Affirmative Action Plan.

3.4 Discrimination Complaint and Investigation Procedure

1. It is the policy of the City of Ames to provide employees and applicants a viable process for resolution of a discrimination complaint. The following complaint procedures will be followed:
 - a. An employee of the City alleging illegal discrimination may report the violation to his/her supervisor, his/her department head, or to the Affirmative Action Officer. An applicant alleging illegal discrimination should report the violation directly to the Affirmative Action Officer.
 - b. Any department head or supervisor who receives a discrimination complaint, or who has reason to believe that illegal discrimination is occurring, will report it to the Affirmative Action Officer immediately.
 - c. The Affirmative Action Officer will work in conjunction with department management to plan and initiate an investigation appropriate to the nature of the complaint.
 - d. Upon completion of the investigation the Affirmative Action Officer will submit a report of findings and recommendations to the Human Resources Director. This report will be considered confidential and will remain in the custody of the Director. The release of this report to any person is within the reasonable discretion of the Director.
 - e. When a discrimination complaint is found to be justified, proper corrective measures will be recommended by the Affirmative Action Officer to the City Manager, along with recommendations for resolution.

2. Retaliation against an employee for placing a discrimination complaint or participating in a complaint investigation is strictly prohibited and will be treated as serious misconduct.
3. All City collective bargaining agreements contain a provision prohibiting illegal discrimination. Employees covered by these agreements have the option of pursuing a discrimination complaint through the grievance procedures provided by the respective contracts. Employees should be aware that the grievance procedures have specified time limits.
4. Under some circumstances, a discrimination complaint may involve Civil Service rights and may be appealed to the Civil Service Commission. Employees and applicants should be aware that these procedures have specified time limits.

3.5 Harassment Policy

1. The City of Ames is committed to achieving and maintaining a working environment that is free of illegal discrimination in the form of harassment based on race, creed, color, religion, gender, national origin, ancestry, age, disability, sexual orientation, gender identity, or genetic information; to sensitizing employees to issues and forms of harassment; and to taking appropriate corrective measures in those cases where harassment based on protected class has been reported and substantiated.
2. Harassment is a form of unlawful discrimination and is defined as verbal or physical conduct that denigrates, or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, national origin, age, disability, sexual orientation, gender identity, or genetic information; or that of his/her relatives, friends, or associates, and that:
 - has the purpose or effect of creating an intimidating, hostile, or offensive work environment; or
 - has the purpose or effect of unreasonably interfering with an individual's work performance; or
 - otherwise adversely affects an individual's employment opportunities.
3. Sexual harassment is a specific form of illegal gender-based discrimination and is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
 - submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
 - submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals; or

such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or of creating an intimidating, hostile, or offensive work environment.

4. Harassment based on race, creed, color, religion, gender, national origin, ancestry, age, disability, sexual orientation, gender identity or genetic information, as well as all other forms of illegal discrimination, is a form of employee misconduct which undermines the integrity of the employment relationship by interfering with the morale and productivity of its perpetrators, its victims and other co-workers. As such, this conduct is unacceptable in the workplace and will not be condoned or tolerated. Employees who engage in this behavior will be disciplined to the same degree as for any other form of serious misconduct. Retaliation for filing a complaint is expressly forbidden and will also be treated as serious misconduct.
5. Even if no objection or complaint has been made, verbal or physical behavior that is harassing or sexual in nature, according to the definitions in this chapter, will be considered a violation if it is deemed by management to create or have the potential of creating, an intimidating, hostile or offensive working environment.

3.6 Harassment Complaint and Investigation Procedures

1. An employee who feels subjected to harassment based on his/her race, creed, color, religion, gender, national origin, ancestry, age, disability, sexual orientation, gender identity, or genetic information should clearly state to the harasser that the behavior is unwelcome and ask that it be stopped. This will accomplish two things. First, it will clearly communicate that the impact on the victim is negative. Second, a clear objection will help establish the legal element that the behavior is unwelcome.
2. If the objectionable behavior continues the victim should pursue the complaint procedures outlined in Section 3.4.

3.7 Policy for Compliance with the Americans With Disabilities Act

1. Statement Of Purpose

It shall be the policy of the City of Ames to provide access to services for all citizens, including those with special needs due to disabilities. To the extent possible access will be facilitated in such a manner that persons with disabilities will be able to enjoy the full array of City services with dignity and in the mainstream of the community.

2. Coordination

The Director of Human Resources shall serve as the City's coordinator for compliance with the Americans With Disabilities Act. Each department head, or designee, shall serve as coordinator for the respective department.

3. Reasonable Accommodation

When, by reason of a claimed disability, a candidate for employment may require reasonable accommodation in order to perform the essential functions of the job; or, when a City employee by reason of a claimed disability, may require reasonable accommodation in order to continue performing the essential functions of his or her job, the individual claiming the disability shall notify the Human Resources Director or the director of the department in which the position is located, of the claimed disability and the request for reasonable accommodation.

There shall be a committee consisting of the Human Resources Director, who shall chair the committee, the Risk Manager, and the department director or designee. The committee shall review the facts of the case and determine whether the candidate or employee has a disability within the meaning of the Americans With Disabilities Act or the Iowa Civil Rights Act and is otherwise qualified; and, whether an accommodation requested by the candidate or employee is reasonable.

The candidate or employee claiming to have a disability and requesting an accommodation for that disability shall provide to the committee:

documented medical evidence of the claimed disability;

a written statement of the means of accommodation that would enable the candidate or employee to perform the essential functions of the job to meet City performance standards;

a written statement of acceptance or rejection of any alternative means of accommodation proposed by the committee, and the reason for any such rejection.

The committee shall, within a reasonable time, submit to the City Manager, a written report of its determination and recommendations. The City Manager shall make the decision on disability and accommodation within a reasonable time after receiving the committee's report and such additional information or analysis as the City Manager may call for.

4. Complaint Procedures

1. City Services and Accommodations

An individual who believes that he/she has been subject to illegal discrimination on the basis of disability may, within ten days, file a complaint with the ADA Coordinator. A Committee consisting of the ADA Coordinator and one Assistant City Manager shall investigate the complaint and may conduct a hearing in the matter. The Committee shall issue a written decision to the complainant and any other parties to the case. If the complainant is not satisfied with the decision of the Committee, an appeal may be filed with the City Manager within seven days. The decision of the City Manager shall be final.

2. City Employment

Employees or job applicants who believe that they have been subject to illegal discrimination on the basis of disability may file a complaint with the Affirmative Action Officer in accordance with the procedure set forth in Section 3.4 of these Policies and Procedures. Employees who are subject to one of the City's collective bargaining agreements have the option of following the grievance procedures provided by the respective agreements.

Chapter 4 Civil Service

4.1 Civil Service Commission

The duties and powers of the Civil Service Commission are set forth in Chapter 400 of the Code of Iowa.

4.2 Civil Service Policies and Procedures

The Civil Service Commission shall issue its own policies and procedures.

4.3 Civil Service Staff

The City Clerk serves as the Secretary to the Civil Service Commission as provided by Chapter 400 of the Code of Iowa.

The Human Resources Department shall provide staffing for the Civil Service Commission's examination operations.

4.4 Civil Service Employees

Chapter 400 of the Code of Iowa sets forth positions that are included in Civil Service. In general, Civil Service covers full-time regular positions below the level of division head, except for secretaries to department heads; however, Chiefs of Fire and Police and Deputy Chiefs are included in Civil Service. Civil Service rights are not retained where a Civil Service employee accepts an appointment to a non-Civil Service position.

4.5 Preference By Service

An employee whose position status becomes subject to Civil Service by reclassification or allocation to full-time by the City shall retain the position and have full Civil Service rights subject to Chapter 400 of the Code of Iowa.

Chapter 5 Classification Plan

5.1 Purpose

The purpose of the Classification Plan is to organize positions within the City system such that all positions that are substantially similar with respect to duties, responsibilities and qualifications are included within the same class so that they can be treated equally with respect to recruitment, pay and benefits. The Classification Plan shall comprise as few classes as possible consistent with the purpose of the plan.

5.2 Preparation, Amendment and Approval

Subject to the approval of the City Manager, the Human Resources Director shall be responsible for the development and maintenance of the Classification Plan including modifications, additions or deletions, and shall allocate every regular position to a class within the Classification Plan.

5.3 New Classifications - Appointment

Except as otherwise provided by statute or ordinance, no person shall be appointed or employed to fill a position within the City service under any proposed new class until the addition of the class to the Classification Plan has been approved as provided for by these Policies and Procedures.

5.4 Classification and Reclassification Reviews

Requests to review the classification of an existing position or proposed new position shall be submitted in writing to the Human Resources Director, with a copy to the City Manager. Requests for classification studies that involve proposals for new positions or amendments to the Pay Plan must be submitted in time to permit completion prior to the budget review process, unless the City Manager approves a different review schedule. Proposals for new positions shall be reviewed by the Human Resources Department in order to ensure appropriate classification. Classification reviews involving bargaining unit positions must be submitted and completed prior to scheduled collective bargaining with the respective union, where changes to the bargaining agreement may be necessary.

A request to reclassify a position shall include any relevant history of the position and a description of changes in the duties and responsibilities of the position, with reference to departmental program activities that justify a classification review. If the department head believes that the creation of a new class is warranted, a draft class specification of the proposed class should be included. In the case of a new position a complete description of the duties and responsibilities should be included together with a proposed classification.

It is expected that changes in the duties and responsibilities of City positions will be planned and approved consistent with departmental program activities and budgets, whenever possible. Under no circumstances shall classification or reclassification be used to avoid statutory or procedural requirements involving transfers, promotions or demotions.

Upon the approval of the City Manager, the Human Resources Department shall conduct a classification review of the department head's proposal. The classification review process shall include but not be limited to the following steps: review of departmental information, completion of a job description questionnaire, interviewing appropriate employees or subject matter experts, writing a class specification.

Upon completion of the classification review, the Human Resources Director shall submit the review findings, analysis and recommendation to the City Manager for final disposition.

5.5 Classification Specification

1. Each class in the Classification Plan shall be described by a class specification which has been approved by the Human Resources Director. A class specification is a written document that describes the general purpose and the principal duties and responsibilities of employees in that class.

A class specification shall include a title, class code, general definition, essential and other job functions, equipment used, physical and environmental characteristics, the knowledge, skills and abilities required to successfully execute the duties of the class, the education and experience normally required to acquire the knowledge, skills and abilities, and any necessary special license or certificate required by the classification.

2. The class specification is a working document, to be reviewed periodically and changed as needed. It is not meant to be restrictive or all-inclusive, but rather to describe the major features of a class. The main purposes of the class specification are:
 - a. To serve as a means of communication between the supervisor and the employee to clarify the responsibilities and expectations of an employee in the class.
 - b. To serve as input to the evaluation of a class for purposes of establishing its internal value to the organization and, ultimately, its pay grade.
 - c. To serve as a benchmark in salary surveys.
 - d. To serve as a basis for the appraisal of the performance of the incumbent(s).
 - e. To identify minimum qualifications and applied skill, knowledge and ability for the purpose of recruitment, selection and training.

5.6 Position Descriptions

The responsibility for maintaining individual position descriptions shall lie with each respective department head. Each department is encouraged, but not required, to develop and maintain descriptions outlining the duties of each position. The position description supplements the class specification and shall be consistent with it.

Chapter 6 Recruitment and Selection

6.1 Purpose

The purpose of this chapter is to establish an orderly procedure for the recruitment and appointment of City employees. It is the intent of this policy to ensure that the appointment of competent individuals to City positions is based on the merit principle; that is, solely on the basis of job-related qualifications. The City's Affirmative Action Policy and Plan are an integral part of this chapter. Chapter 400 of the Code of Iowa and the Policies and Procedures of the Ames Civil Service Commission shall govern examinations and appointments to Civil Service positions.

6.2 Vacancies

A vacancy refers to an unfilled position that is authorized in the City's budget. It shall be the responsibility of the department having the vacant position to notify the Human Resources Department that a vacancy exists and to begin the authorization process to fill the position. A Personnel Requisition Request shall be completed and sent to the Human Resources Department. Chapter 400 of the Code of Iowa specifies the time within which Civil Service vacancies must be filled.

6.3 Anticipated Vacancies

Because of the importance of filling vacancies as quickly as possible, departments are encouraged to informally notify the Human Resources Department when a vacancy is anticipated. This will facilitate planning and expediting the recruitment. Under certain circumstances it is appropriate to submit a Personnel Requisition Request even when the exact date of the anticipated vacancy is not yet known. The reason for the vacancy should be noted on the requisition form.

6.4 Promotional and Open Job Classes

1. Policy Statement

It is the general policy of the City of Ames to apply the principles of competitive merit employment in the selection of employees for City positions. When it is in the best interests of the City, the Human Resources Director may designate any position in the City service as promotional, i.e., limited to one or more categories of current City of Ames employees.

2. Civil Service Positions

Chapter 400 of the Code of Iowa states that vacancies in Civil Service promotional grades shall be filled by lateral transfer, voluntary demotion, or promotion of qualified City employees. In accordance with the intent of Chapter 400 of the Code of Iowa, the Human Resources Director shall designate each Civil Service job classification as promotional or open. A Civil Service promotional class is one which provides a logical

avenue of progression from one or more Civil Service job classes having a lower maximum rate of pay. A promotional relationship shall be deemed to exist where employees' service in lower level class(es) can reasonably be expected to result in the acquisition of the knowledges, skills and abilities necessary to meet the minimum educational and experience requirements for the promotional job class.

In determining whether a job class is promotional or open, consideration will be given to the number of subordinate positions meeting the criteria for a promotional relationship with the higher class in question, and to the number of employees likely to be qualified for promotion in the event of a vacancy in the higher class. The intent of this provision is to ensure that promotional examinations are reasonably competitive and likely to result in the promotion of qualified candidates.

The list of classes designated as Civil Service promotional shall be reviewed annually by the Human Resources Director. The Human Resources Director shall also have the authority to make a permanent or temporary change in the status of a position prior to posting the notice of examination, based on the aforementioned criteria.

3. City employees are encouraged to compete for open positions for which they may qualify. Civil Service employees, regardless of their current salary level, who have completed their probationary period are eligible to apply for Civil Service promotional recruitments. Current City employees shall be released from duty with pay to participate in selection examinations for City positions. Off-duty employees will not be compensated.

6.5. Non-Civil Service Positions

Regular positions exempt from Civil Service will be filled on the basis of merit. When a non-Civil Service vacancy occurs, the City Manager will determine whether the needs of the City will best be served by open recruitment or promotion. Department heads will consult the Human Resources Department regarding recruitment and selection procedures, and affirmative action compliance. City employees are encouraged to compete for non-Civil Service positions for which they may qualify.

6.6 Minimum Qualifications

Minimum qualifications are established by the Human Resources Department, normally after consultation with departmental staff or others having expertise in the field covered by the job.

Minimum qualifications may be revised at any time, but will not be changed during an announced recruitment period (from posting until deadline).

The minimum qualifications will be stated on the recruitment announcement. If large numbers of applicants are anticipated, the announcement may state, "Preference may be given to applicants possessing qualifications above the minimum". In such cases the number of persons admitted to the examination may be limited.

An applicant must meet minimum qualifications in order to be admitted to an examination. Each application will be reviewed by the Human Resources Department. In the case of technical qualifications, the operating department shall be consulted; however, the Human Resources Department will make the final determination as to whether an applicant meets minimum qualifications. Notification of eligibility to take the examination will be sent to the applicant by the Human Resources Department.

6.7 Eligibility

Vacancies in Civil Service positions shall be filled from preferred lists, when such lists exist, in accordance with Civil Service law. If there is no preferred list for the job class, the appointing authority shall appoint from an eligibility list or may consider a transfer or voluntary demotion. For Civil Service promotional classes a promotional list shall have precedence over an open list for that job class. The Human Resources Department will provide the appointing department with a list of eligibles.

6.8 Appointment

The appointing authority, or designee, shall consider the qualifications of those on the eligibility list, as well as applicants for demotion or transfer. It is strongly encouraged, but not required, that all eligible candidates be interviewed. Consideration shall be given to promoting diversity in the City work force, and the department head shall be responsible for complying with the City's Affirmative Action Policy and Plan and shall consult with the Affirmative Action Officer as appropriate in considering appointments to job classes in which underutilization has been identified in the Affirmative Action Plan. The department head shall obtain the approval of the City Manager prior to making an offer of appointment to a position deemed by the City Manager to be critical in terms of visibility and/or policy responsibility. All appointments shall be conditioned upon ability to perform essential functions of the position as determined by a medical exam, subject to the City's ADA policy.

A person accepting appointment shall report as directed on or before the appointment date. If the applicant indicates acceptance of the appointment and reports for duty on the appointment date, the applicant shall be deemed to be appointed. Should the applicant fail to report, it shall be assumed that the appointment is declined, unless the applicant presents acceptable reasons for the action to the department head within 24 hours.

6.9 Conditional Appointment

When the needs of the City are such that it is necessary to appoint an individual to a position prior to a scheduled meeting of the Civil Service Commission, the appointing authority may make a conditional appointment. In such cases the candidates considered shall be those who have successfully completed the examination and have been recommended for certification.

6.10 Temporary Appointment

Whenever there is a need for a short-term or seasonal employee, or in the absence of a preferred list or certified eligible list, or when necessary to prevent the stoppage of public

business, the appointing power may make a temporary appointment of an applicant until the services of the casual short-term employee are no longer required or until a list of eligibles can be certified. All temporary employment shall be considered at-will. **Except where provided by statute, temporary employees shall not be given, nor shall they be led to believe they will be given preference for any regular employment.**

In the case of Civil Service positions, a temporary appointment made in the absence of a preferred or certified eligible list shall be limited to 90 days for any one person in the same vacancy, but such limitation shall not apply to any person temporarily acting in a position regularly held by another.

6.11 Probationary Period

1. Purpose

The probationary period is designed to 1) allow the City an opportunity to observe the new employee's ability to perform the assigned duties, and 2) focus the supervisor's attention on the need for specific training.

2. Regular Appointment or Rejection of Probationary Employee

Upon original appointment, regular employees are subject to a six-month probationary period, except Police Patrol Officers, Police Dispatchers and Firefighters who are subject to a twelve-month probationary period. Following a break in service of more than two weeks, a regular employee's probationary period shall be extended by a period of time equal to the break in service.

The employee's progress will be monitored, documented and discussed with the employee throughout the probationary period. Prior to the end of the probationary period the supervisor shall complete a written performance appraisal for the employee. Continuance in the position after expiration of the probationary period shall constitute a regular appointment.

A probationary employee may be discharged for any lawful reason, without right to appeal. A person discharged during a probationary period shall, at the time of discharge, be given a notice in writing stating the reason or reasons for the dismissal. A copy of such notice shall be promptly filed with the Human Resources Director who shall, if the position is under Civil Service, forward a copy to the Civil Service Commission.

6.12 Transfer and Voluntary Demotion

Transfers and demotions to Civil Service promotional positions shall be made in accordance with Chapter 400 of the Code of Iowa.

1. Existing Promotional Certified List

A notice stating that interviews are being scheduled shall be posted for at least five working days before the closing date for the interviews in the same locations where examination notices are posted.

A Civil Service employee who wishes to voluntarily demote or laterally transfer into a Civil Service promotional vacancy and has previously served or is currently serving in the classification in which the vacancy exists shall notify the Human Resources Department, in writing, that the employee wishes to be considered for voluntary demotion, transfer or lateral appointment to the vacancy. Upon notification, the employee shall be added to the list of candidates to be interviewed and considered for the vacancy.

2. No Existing Promotional Certified List

If there is no certified list of eligible candidates for a Civil Service promotional appointment, the following procedure shall be followed. When a promotional examination announcement is posted the announcement shall state that a Civil Service employee who has been or is currently employed in the classification in which the vacancy exists may notify the Human Resources Department, in writing. Upon notification, the employee shall be added to the list of candidates to be interviewed and considered for the vacancy.

3. Civil Service Open Vacancies

Qualified City employees are eligible to participate in examinations that are open to the general public. A Civil Service employee who wishes to be considered for a voluntary demotion or transfer into a vacant position and who has previously served or is currently serving in the classification for which the vacancy exists shall notify the Human Resources Department in writing. The appointing authority may consider applicants for demotion or transfer together with candidates on the list of eligibles. If, during the recruitment period but prior to the examination, the director of the department having the vacancy decides that a transfer or demotion would best meet the needs of the position, the recruitment may be cancelled with the approval of the Human Resources Director.

4. Non-Civil Service Vacancies

Employees who wish to be considered for demotion, transfer or lateral appointment to a non-Civil Service vacancy should notify the Human Resources Department in writing. The employee making such request may be required to complete an application form and/or undergo other selection procedures for the position. Civil Service rights shall not be retained where a Civil Service employee is voluntarily demoted or transferred to a non-Civil Service position.

5. Qualifications

Employees who have previously served or are currently serving in the classification for which a vacancy exists must meet current minimum qualifications in order to be eligible for a voluntary demotion, transfer or lateral appointment.

6. Status of Applicants for Voluntary Demotion, Transfer or Lateral Appointment

Applicants for voluntary demotion, transfer or lateral appointment shall be considered together with candidates on eligibility lists; however, voluntary demotion, transfer or lateral appointment is not an employee right, and such applicants shall not be given priority in consideration for appointment.

Chapter 7

Compensation – Direct Pay

7.1 Purpose

The purpose of the City's compensation system is to attract, retain and motivate employees through payment of salaries within a structure that is market competitive and which recognizes the relative work of jobs within the City organization.

7.2. Objectives

The objectives of the City of Ames' compensation program are:

1. To establish a salary range for each job that is based on a systematic blending of the job's internal worth to the City and the competitive labor market.
2. To provide for individual salary advancement reflecting increased value to the City and based on performance management including planning, development and evaluation.
3. To establish a system that is fiscally sound and cost effective.
4. To provide a method for identifying individual employee development needs.
5. To provide a compensation program that is understood by employees.
6. To have employees perceive that their pay is fair with respect to other jobs in the City and with comparable jobs in other organizations.
7. To provide a pay system that can be easily administered and maintained.
8. To comply with federal, state and local laws.

7.3 Components

The compensation program for the City of Ames is based on the following components:

1. Pay Grades

The salary structure which includes a series of pay grades corresponding to job evaluation points. Each grade shall be defined by a salary minimum, midpoint, and maximum. The pay for each employee will be within the salary range for the grade assigned to the employee's job class, unless otherwise approved by the City Manager.

2. Job Evaluation

Job evaluation is the process of determining the relative worth of all jobs in the City of Ames. Each non-union job in the City has been evaluated and placed in a grade level and accompanying salary range on the basis of that evaluation.

3. Pay For Performance

Salary adjustments shall be based on individual performance appraisals in accordance with guidelines approved by the City Manager. However, the City Manager may authorize an adjustment to an individual's compensation in order to correct a mistake in administration of the approved compensation system.

4. Performance Management

The performance management system shall consist of a cycle incorporating planning, ongoing monitoring and feedback, performance appraisal, and employee development.

5. Administration

The administration of the pay program shall be under the direction of the Human Resources Director whose responsibilities will be to:

- a. Monitor trends in compensation theory and practice and make recommendations regarding the City's compensation policies and practices consistent with the City's mission and organizational culture.
- b. Evaluate existing and new job classes and submit the appropriate pay grade allocation for the City Manager's approval.
- c. Conduct periodic salary and benefit surveys.
- d. Recommend salary structure adjustments and salary increase budgets.
- e. Provide oversight of the performance management system, ensuring that performance appraisals are conducted as required, and providing training and guidance in the application of the performance management system.

7.4 Job Evaluation

1. Definition

Job evaluation is the process of determining the relative worth of all jobs in the City of Ames. Each non-union job in the City has been evaluated and placed in a grade level and accompanying salary range on the basis of that evaluation.

2. Job Evaluation Studies

The recommendation of the Human Resources Director shall be forwarded to the City Manager with a copy to the department head who requested the review. The Human Resources Director shall notify the requesting department head of the City Manager's decision.

3. Factors

The factors that will be used to evaluate each classification are described below. In deciding which level is most appropriate, consideration is given to what the class requires most of the time or under normal circumstances.

- a. Knowledge. This factor measures the minimum formalized training or education which is required for entry into the position.
- b. Experience. Based on the minimum knowledge required for the job, this factor identifies the degree of job-related experience required for entry into the position.
- c. Organizational Control. This factor measures the supervisory requirements of the position.
- d. Human Relations Skills. This factor measures the job requirements of personal interaction with others outside the chain of command. The interactions may include: other departments within the City government, the general public, other governmental organizations or officials, or private business. Additional consideration is given where the majority of the interactions occur with individuals or groups who receive the services provided by the City.
- e. Responsibility. This factor measures the accountability for results as well as the impact the job has on organizational, departmental, or unit objectives, the output of City services, or employee or citizen satisfaction.
- f. Guidance Received. This factor measures the degree of supervision, review and/or direction the position receives. It refers to the amount of independence inherent in the job. Limitations on independence may include: supervisory control, the nature of the work, established procedures or legal constraints.
- g. Complexity. This factor measures the job difficulty in terms of the application of the knowledge required by the job. It measures job requirements of creativity, ingenuity, judgement, initiative, analysis, reasoning and evaluating.
- h. Working Conditions, Mental and/or Visual Demands. This factor measures two areas. First, it measures the surroundings or physical conditions under which the work must be performed and the duration of time that each is present. This would involve physical effort, environmental or hazardous conditions. Where working conditions vary with specified work assignments, the degree selected must represent the average of all the conditions encountered. Second, it assesses the

degree of coordination and dexterity of mind, eye and hand, as applied to job requirements which induce mental fatigue and/or visual strain. This also measures duration of time that mental and/or visual application is required, and the required intensity of such application. It relates to the quantity and concentration of mental application, not to the degree of intelligence or mental development.

4. Weights

The weights applied to each factor in the Job Evaluation System are:

<u>Factors</u>	<u>Weights (%)</u>
Education	14
Experience	14
Organizational Control	12
Human Relations (including Public Contact)	16
Responsibility	16
Guidance Received	10
Complexity	13
Working Conditions	<u>5</u>
	Total 100

5. Adoption and Amendment

The Human Resources Director shall prepare annually a Pay Plan covering all classes in the City service to be submitted to the City Council for review. Thereafter, the City Manager may approve modifications to the Pay Plan upon the recommendation of the Human Resources Director. Modifications to the Pay Plan shall be in accordance with the stated policies, goals and objectives of the City's compensation policy.

6. Administration and Maintenance

At least biennially, the Human Resources Director shall conduct a comprehensive survey of market rates for a representative sample of classifications in the City service, whose salaries are not determined through the labor negotiations process. In adjusting the pay structure, consideration shall be given to salaries in relevant employment markets for comparable classes under similar working conditions, current costs of living, the City's compensation policy and other relevant factors.

7.5 Initial Appointment

These guidelines are intended to balance the internal consistency and equity of the merit pay system, while being responsive to the dynamics of the labor market.

1. The starting salary shall be at least the minimum of the salary range.

2. Candidates meeting minimum qualifications shall normally be appointed at the range minimum.
3. Candidates whose qualifications exceed the minimum may receive a starting salary proportional to their qualifications, not to exceed the range mid-point. Starting salaries above the mid-point may be approved by the City Manager under exceptional circumstances.
4. The following factors may be considered in determining an appropriate starting salary:
 - (a) Current salary rates for the specific classification in the relevant market.
 - (b) The qualifications of the candidate relative to the needs of the position and the qualifications of other available candidates.
 - (c) The relative success of the current recruitment, and relevant prior recruitment history for the classification.
 - (d) Internal equity with current incumbents of the classification, with regard for qualifications and length of service.
 - (e) For supervisory positions, the level of responsibility and salaries of subordinates; however, this will not be the sole determining factor and it is not intended that the salary of a supervisor shall exceed that of all subordinates in every case.
5. All starting salaries must be coordinated with the Human Resources Director and approved by the City Manager.

7.6 Promotional Salaries

1. Upon promotion to a class in a pay grade with a higher maximum salary, an employee shall receive the minimum salary of the higher range or at least 5% over the employee's current salary, whichever is more. The higher salary shall become effective on the date of the promotion.
2. An employee who is promoted more than one pay grade or rank may receive a promotional increase greater than 5%.
3. The guidelines outlined in Section 7.5.4 may also be considered in determining an appropriate salary upon promotion.

7.7 Merit Increases

1. Regular Employees

Performance-based merit increases may be granted to regular full-time and part-time benefited employees. Merit increases shall become effective on July 1 of each year, except as otherwise provided in these Policies.

2. New Employees

Employees hired in a given fiscal year shall be eligible for a merit increase on July 1 of the following fiscal year or upon completion of six months of service, whichever is later.

Employees who have completed or will complete six months of service prior to April 30 will be evaluated during the regular evaluation schedule, normally in early April. Those employees who will complete the six-month probationary period after April 30 shall be evaluated two weeks prior to completion of six months service. Performance appraisals will be conducted in accordance with standard City procedures. Evaluation forms will be forwarded to the Human Resources Department. The merit increase will be determined by the Human Resources Department in accordance with the formula authorized for July 1 merit increases. The Human Resources Department will notify the department head, who will prepare the Payroll Change Form.

3. Promotions and Lateral Appointments

Employees who have received a promotion or lateral appointment shall be eligible for merit increases in the same manner as new hires (see paragraph 2 above).

7.8 Reduction in Salary

Reductions in salary may be made to recognize the diminished value of a merit employee's service to the organization. An employee's salary may not be reduced below the minimum established for the class. Reductions in salary shall become effective immediately upon approval by the City Manager.

7.9 Demotion

A voluntary or involuntary demotion may be made to a vacant position in a class with a lower maximum salary in accordance with these Policies and Procedures. An employee who is voluntarily or involuntarily demoted must possess the minimum qualifications for the lower position.

A demoted employee's salary shall be the employee's current rate of pay or the maximum of the salary range for the lower class, whichever is lower, except that an employee who receives an involuntary demotion may also be subject to a salary reduction in accordance with Section 7.8 of these Policies and Procedures. The City Manager may also authorize an alternative salary reduction for a voluntary demotion as warranted by a review of the

situation. A demoted employee's pay rate shall be effective with the first day that the employee assumes the duties of the lower class.

When a demotion is made for reasons other than disciplinary action, the City Manager may authorize continuation of a merit employee's present salary rate, even if it is above the maximum for the new class. In such cases the employee shall not be eligible for pay increases until the scale maximum exceeds the employee's salary.

7.10 Transfer

Except where limited by statute, a voluntary or involuntary transfer may be made to a vacant position in the same classification in the same department or in another department.

A transferred employee's salary shall be the employee's current rate of pay, except that an employee who receives an involuntary transfer may also be subject to a salary reduction in accordance with Section 7.8 of these Policies and Procedures.

7.11 Reclassification

Reclassification may be made to a class with a higher, lower, or the same maximum rate of pay as the original class. An employee whose position has been reclassified to a classification with a higher maximum salary shall receive at least the minimum salary of the higher salary range or the salary received prior to reclassification, whichever is higher. In cases where the employee has performed the duties of the higher class for a period of time sufficient to demonstrate proficiency, a salary increase may be authorized. The salary guidelines for new hires and promotions shall be referred to in making such determinations. In cases where an employee's position has been reclassified to a classification with a lower maximum salary, Section 7.9 shall apply.

7.12 Lateral Appointment

An employee who accepts a lateral appointment shall retain the rate of pay received in the previous position. Eligibility for merit increases shall be as provided in Section 7.7(3).

7.13 Working Out Of Class

1. Policy

No employee shall be required to perform duties which are not closely related both in kind of work and in level of responsibility to duties normally assigned to positions in the class, except on a short-term temporary or emergency basis. An employee may refuse to work out of class unless the department head determines that an emergency situation exists and the services are necessary.

2. Vacancy Because of Resignation, Termination, Death, Leave of Absence

In the event of a vacancy caused by resignation, termination, death, leave of absence, etc., an employee may be temporarily assigned to the duties of a higher position. The

replacement employee shall receive at least the minimum of the higher range or 5% over the employee's current salary, whichever is more, beginning with the first day that the new duties are assumed.

3. Short-term Absences

Employees who replace others because of a short-term absence such as normal sick leave and vacation time, shall be compensated at the out-of-class rate for any time beyond two normal work weeks. However, under normal circumstances, employees whose job classifications are defined as assistants, such as assistant department heads, will not be compensated except as provided for in Paragraph 2 above.

4. Authorization

An employee may receive out-of-class pay only when the department head designates in writing that the employee is working out-of-class.

7.14 Longevity Pay

The City will pay full-time regular employees for length of continuous service at the following rates on a yearly basis.

5 Years	\$100	18 Years	\$360
6 Years	120	19 Years	380
7 Years	140	20 Years	400
8 Years	160	21 Years	420
9 Years	180	22 Years	440
10 Years	200	23 Years	460
11 Years	220	24 Years	480
12 Years	240	25 Years	500
13 Years	260	26 Years	520
14 Years	280	27 Years	540
15 Years	300	28 Years	560
16 Years	320	29 Years	580
17 Years	340	30 or more	600

Employees working on a regular part-time basis are eligible for prorated (1/4, 1/2 or 3/4) longevity benefits.

Longevity payments shall be made semi-annually on November 30 and March 31. The semi-annual payments shall be in the amount of one-half the yearly longevity payment. Longevity payments will be apportioned to a terminating employee for any portion of a payment period.

Chapter 8

Performance Evaluation Process

8.1 Purpose

The purpose of the performance evaluation is to document job performance in conjunction with an integrated process of performance management including planning, managing, appraising, developing and rewarding performance. The goal of the performance management process is to develop and maintain organizational productivity through joint planning, coaching, counseling, providing feedback and identifying employee development needs; and to provide appropriate reinforcement through the merit pay program.

8.2 Procedure

1. Performance Management Groups

For the purpose of standardization, job classes having similar characteristics are grouped into families called performance management groups. These include Management, Professional/Technical, Administrative Support, and Union.

2. Factors

The performance evaluation form for each group includes several performance factors. The factors are to be weighted so that the total equals 100, provided that no factor may be assigned a weight less than 5. The "Comments" section is provided to document the employee's actual job performance.

3. Performance Evaluation Schedule

A written performance evaluation shall be conducted annually for each regular employee, except as otherwise provided in these Policies and Procedures. Additional performance evaluations may be conducted as deemed necessary by the department head. See Section 7.6 for guidelines for new hires and promotional appointments.

4. Evaluators

The responsibility for completing the performance evaluation form and conducting the performance evaluation interview rests with the employee's immediate supervisor. Multiple evaluators may be used as appropriate.

5. Quality Assurance

Each department head is responsible for reviewing all performance evaluations conducted by subordinate supervisors. The department head's signature certifies compliance with performance evaluation policies and guidelines, and that the department head concurs with the ratings.

The Human Resources Director shall provide oversight for the performance evaluation process, and shall develop and implement a quality assurance program to ensure compliance with the purpose and goals of this chapter.

6. Employee Receipt and Response

Following the evaluation interview the employee shall acknowledge receipt of a copy of the performance evaluation form by signing the document. Signing the performance evaluation form does not necessarily express or imply that the employee agrees with the evaluation results. In the event that the employee refuses to sign the document, the supervisor shall make a notation on the form indicating that the employee refused to sign it.

An employee is entitled to respond in writing to anything contained in the employee's performance evaluation either by using the "Comments" section, or by submitting a response on a separate sheet. The employee's written response shall be forwarded along with the employee's performance evaluation form to the Human Resources Department for inclusion in the employee's personnel file.

Chapter 9 Group Insurance

9.1 Health

Health insurance coverage is available for all benefited employees and includes medical, dental, prescription card services, and optional "flex" benefits as outlined in the plan booklets.

The City shares the cost of the premium for single coverage with full-time regular employees. It pays a pro-rated portion of the premium for single coverage for regular half-time and three-quarter-time employees. Family coverage is optional. Those employees who elect family coverage also share the cost of the premium with the City.

Health insurance coverage is effective on the first of the month following 30 days of employment.

9.2 Life Insurance

The City provides life insurance coverage, including accidental death and dismemberment for all benefited full and part-time employees. The City pays the full premium. Coverage is effective on the first of the month following 30 days of employment. Full-time merit employees receive \$50,000 in coverage.

9.3 Disability

1. IPERS

The City provides long term disability coverage for all full-time employees (and for all C and D plan benefited employees) in the IPERS retirement system. Coverage is effective on the first day of the month following one year of eligible employment.

2. Utility Retirement

The same long-term disability insurance provided to City employees who participate in IPERS shall also be made available to members of the Utility Retirement Plan. Employees participating in the Utility Retirement Plan are required to enroll in that disability program and to pay the full premium cost through payroll deduction. Coverage is effective on the first day of the month following one year of eligible employment.

3. Police and Fire Retirement Systems

The Police and Fire Retirement Systems provide disability benefits for their respective members when they become incapacitated for further performance of their duties. Coverage is effective upon membership. Benefits vary according to the nature of the disability. Chapter 411 of the Code of Iowa should be consulted for specific details regarding eligibility and limitations.

9.4 Part-time and Temporary Employees

Part-time unbenefited and temporary employees are not eligible for insurance coverage. An employee who works in more than one capacity for the City shall not receive a higher level of benefits (i.e., insurance, sick leave, vacation leave and the like) than that to which the employee is entitled for any one of the positions. There shall be no additive effect on benefits because an employee serves in more than one capacity for the City.

Effective July 1, 2013, the City designates a 12-month measurement period under the Patient Protection and Affordable Care Act (PPACA) for purposes of determining health insurance eligibility. Part-time unbenefited and temporary employees with more than 1,560 hours of service over a 12-month measurement period are considered as full-time employees under the PPACA and will become eligible for health insurance benefits during a subsequent 12-month stability period.

9.5 COBRA Benefits

As provided by the Consolidated Omnibus Budget Reconciliation Act of 1986, the City shall offer employees and covered dependents the opportunity to continue group health insurance benefits beyond the normal coverage termination dates. When an event occurs that might otherwise disqualify an employee or dependent for group health insurance coverage (e.g., separation from employment, divorce, etc.), an individual may continue the present level of benefits by contributing an amount equal to the total premium plus a 2% administrative fee. The period during which an individual may continue benefits varies depending on the reason for the loss of eligibility. The Human Resources Department shall notify the employee of continuation rights at the time that an employment-related event occurs which may affect the employee's eligibility for insurance coverage. If an individual qualifies for COBRA benefits due to divorce, legal separation, or ceasing to be a dependent child, either the employee or a family member must so notify the Human Resources Department. This notice should be given before the qualifying event, or as soon as possible thereafter, but no more than 30 days after the qualifying event.

9.6 Health Promotion Program

With the exception of temporary employees, all City of Ames employees (regardless of health insurance coverage) are eligible for the Health Promotion programs. In addition, all members (spouse, dependents and retirees) on City insurance are eligible for selected programs. For safety purposes, a minimum age requirement may apply to some programs/services.

Healthy4Life: All full-time or part-time employees covered by the City health insurance plan are eligible for the Healthy4Life program. The program provides a financial reward linked to benefits upon successful completion of the program. The payment of the reward is provided through the Health Promotion program and is equivalent to the 5% employee share of the health insurance premium payment for a single person on the Blue Advantage plan.

Chapter 10 Leaves

10.1 Purpose

The purpose of this chapter is to identify and describe the types of leaves provided by the City of Ames to its employees.

10.2 City Manager's Authority

When the City Manager deems it appropriate, in order to accomplish recruitment goals, he/she may grant vacation in excess of the provision of this chapter; provided however, than in no case shall maximum vacation accrual or accumulation exceed that authorized for 25 years or more of service.

10.3 Holidays

1. The following shall be holidays for employees of the City of Ames:

- New Year's Day
- Presidents' Day
- Memorial Day
- Independence Day
- Labor Day
- Veterans' Day
- Thanksgiving Day
- The Friday Following Thanksgiving Day
- Christmas Day
- A Floating Christmas Holiday

When Christmas falls on Tuesday, Wednesday, Friday or Saturday, in addition to the legal holiday observance, the preceding work day shall also be observed as a holiday. When Christmas falls on Sunday, Monday, or Thursday, in addition to the legal holiday, the following work day shall also be observed as a holiday.

2. Regular part-time employees working 20 hours or more, but less than 30 hours, will earn holiday benefits at 1/2 the rate of full-time employees. Employees working 30 hours or more, but less than 40 hours, will earn holiday benefits at 3/4 of the rate of full-time employees. Regular and probationary employees, and shift personnel shall not be required to be on duty on holidays unless the employee's services are required for an emergency in performance of an essential public service, in which event any such employee shall be entitled to pay at one and one-half times the regular rate.
3. When a holiday falls on a Sunday, the following Monday shall be observed. When a holiday falls on a Saturday, the preceding Friday shall be observed. If a holiday falls on an employee's regularly scheduled time off, the employee shall be entitled to compensatory time off.

10.4 Annual Vacation Leave

1. Amount

All regular full-time employees shall earn vacation on a monthly basis at the following rates which reflect longevity in the City Service.

Ten days per year for the first seven years of service (months 1 through 84).

Fifteen days per year through the fourteenth year of service (months 85 through 168).

Twenty days per year after completing fourteen years (months 169 through 276).

Twenty-five days per year after completing twenty-three years (months 277 and on).

2. Regular Part-Time Employees

Regular part-time employees working 20 hours or more, but less than 30 hours, will earn vacation benefits at 1/2 the rate of full-time employees. Employees working 30 hours or more, but less than 40 hours, will earn vacation benefits at 3/4 of the rate of full-time employees.

3. Accrual

An employee who enters the employ of the City on or prior to the fifteenth of the month, or who leaves the employ of the City after the fifteenth of the month shall earn vacation leave for that month.

Vacation leave shall not be accumulated in excess of one and one-half the annual rate. The maximum allowable accruals for regular part-time employees shall be one and one-half times the annual prorated rate for which the employee is eligible.
(see Chart 10.4)

For new employees, a vacation bank of five days may be made available on the first day of employment with the City upon approval by the City Manager. If granted, the remaining balance of the first year's allocation will accumulate under the normal accrual schedule (i.e. an employee who earns two weeks of vacation per year upon hire would begin accruing the second week starting with their seventh month of employment).

Chart 10.4

MONTHS OF FULL-TIME SERVICE	MONTHLY ACCRUAL	MAXIMUM ACCRUAL	
		(Days)	(Hours)
1 through 84	6 hours & 40 minutes	15	120
85 through 168	10 hours	23	184
169 through 276	13 hours & 20 minutes	30	240
277 or more	16 hours & 40 minutes	38	304

4. When Taken

Each department will maintain records of vacation leave credit and its use. The department head shall schedule vacation leaves with regard to the department's operating requirements and responsibilities, and, insofar as possible, with the requests of employees.

Vacation leave shall not be granted in units of less than 15 minutes.

5. Holidays Occurring During Vacation Period

In the event one or more municipal holidays occur during an employee's scheduled vacation, such holiday shall not be charged as vacation leave. No holidays will be granted which fall during terminal vacation or leaves of absence without pay.

6. Terminal Leave

Any regular employee leaving the employ of the City shall be compensated for vacation leave credited and unused to the date of termination. Terminal vacation shall be added to the employee's final payroll check which may reflect prior days worked. The effective date of termination shall be the last day actually worked by the employee.

7. Waiving Vacation Prohibited

No employee shall be permitted to receive a cash payment in lieu of vacation except upon termination as provided above.

10.5 Employee Sick Leave

1. Policy and Procedures

Sick leave shall be allowed only in case of:

- a. Actual personal illness, or pregnancy, childbirth, or related medical conditions as provided for in Section 10.7.

- b. Personal injury, either job or non-job-related. An employee receiving temporary disability payments under the workers' compensation laws may use accumulated sick leave in order to maintain a regular income.
- c. Examinations and consultations with physicians and other health care providers licensed by the State of Iowa, including the City's Employee Assistance Program.
- d. As provided in Section 10.9 Emergency Leave.

All full-time employees shall accrue sick leave with pay at the rate of eight hours for each calendar month of service. Regular part-time employees working 20 hours or more, but less than 30 hours, will earn sick leave benefits at 1/2 the rate of full-time employees. Employees working 30 hours or more, but less than 40 hours, will earn sick leave benefits at 3/4 of the rate of full-time employees.

An employee who enters the employ of the City on or prior to the fifteenth of the month, or who leaves the employ of the City after the fifteenth of the month shall earn sick leave for that month.

To be eligible for paid sick leave the employee must notify the department head or designee prior to the scheduled work time or in accordance with departmental policies. All sick leave must be approved in accordance with procedures established by the department head.

Because sick leave is conditional upon the qualifying circumstances listed above, an employee may be required to present proof of eligibility in the form of a doctor's note or other documentation. It is the responsibility of supervisors to monitor sick leave usage and to counsel employees as appropriate. It is recognized that certain patterns of sick leave use may be indicative of abuse. Such patterns include but are not limited to: frequent absences of short duration, failure to maintain a sick leave accrual balance, and absences before or after a holiday or weekend. If management determines that an employee's sick leave usage fits such a pattern, the employee will be asked to explain the reasons for the absences, and may be required to submit a written plan, including a time frame, to improve attendance. The plan shall be reviewed by the Human Resources Director and approved by the department director. If attendance does not improve as agreed, or if the employee refuses to cooperate, discipline may be imposed.

Certain medical conditions may be covered by the Family and Medical Leave Act which provides leave rights to employees under qualifying circumstances. Refer to the City's FMLA Policy, Section 10.16 of this Chapter.

Employees who are on paid leave shall continue to accrue sick leave during such absence. Sick leave may be accumulated from year to year with no maximum limit and may be granted in minimum units of one-half hour.

2. Medical Leave Without Pay

In the event that available paid leave has been exhausted an employee may be eligible for medical leave without pay in accordance with Section 10.13 of this Chapter. Such leave may be subject to the Family and Medical Leave Act (FMLA) if the employee's medical condition qualifies under this law.

Except where the use of sick leave is required under the FMLA policy, an employee may use leave without pay in lieu of available sick leave, subject to approval of the department head.

Except as required by the FMLA, medical leave without pay shall not be an employee right, but shall be granted subject to the department's operational and staffing needs. Extensions of such leave shall be conditioned upon periodic reports from the employee's physician. In determining whether to grant an extension of an employee's medical leave without pay, consideration shall be given to the prognosis for a timely recovery to the point that the employee is able to properly perform the essential functions of the job.

3. Payment for Unused Sick Leave

In the event of regular or disability retirement provided for under one of the officially established retirement plans of the City, or in the event of the death of an employee prior to regular retirement, the employee or the employee's beneficiary is entitled to payment for unused sick leave as follows:

Full-time employees: Twenty-five percent of the employee's last regular hourly rate of pay for all hours in excess of 720.

Three-quarter time employees: Twenty-five percent of the employee's last regular hourly rate of pay for all hours in excess of 540.

Half-time employees: Twenty-five percent of the employee's last regular hourly rate of pay for all hours in excess of 360.

Employees whose status has changed during employment with the City will have sick leave hours computed on a percentage basis. Example: 20 years employment (12 years at full-time and 8 years at half-time): $720 \text{ hours} \times 60\% = 432$ and $360 \text{ hours} \times 40\% = 144$, for a total of 576 hours to be deducted from total unused sick leave before paying the balance at 25% of hourly rate.

10.6 Family Sick Leave

Employees may use up to three (3) days of accrued sick leave per fiscal year for occasions which require the employee to care for a member of their immediate family who is incapacitated due to illness or injury, or who has examinations and consultations with physicians and other health care providers licensed by the State of Iowa. Family sick leave shall be subject to the same eligibility qualifications, documentation, and other terms and conditions as employee sick leave.

For the purpose of Family Sick Leave, immediate family is defined as spouse, children, step-children, foster children, parents, parents-in-law; or other dependents if living in the immediate household, provided that the relationship to the employee is by blood or marriage or is otherwise recognized by State or Local law.

10.7 Maternity/Parental Leave

1. It is the policy of the City of Ames to apply to an employee's pregnancy, childbirth or related medical conditions the same sick leave and other employment policies and practices as are applied to other medical conditions. Sick leave may be used only for that period when the employee is medically unable to perform her job duties. Under normal circumstances the employee will be expected to provide prior notice of the period of leave requested, and any change in the period must be approved before the change becomes effective. As with other temporary disabilities or illnesses, the employee may also be required to verify by medical certification that her job duties cannot be performed because of pregnancy, childbirth or related medical conditions.
2. The Family and Medical Leave Act (FMLA) guarantees up to twelve weeks of leave for birth or adoption. Under most circumstances it will be to an employee's advantage to apply for FMLA leave in connection with the birth and after-care of an infant. FMLA leave is also available to fathers. Sick leave may not be used for infant, child or family care; vacation or leave without pay must be used for these purposes. Sick leave, vacation and leave without pay will all be counted toward maximum allowable FMLA leave. Refer to Section 10.16 for details of the City's FMLA policy.

10.8 Military Leave

1. Applicability

This policy applies to all City employees qualifying under the provisions of Chapter 29A.28 of the *Code of Iowa* other than those employed temporarily for six months or less. Included is any full-time employee who is a member of the National Guard, organized reserves, or any component of the military, naval, air forces, or nurse corps of the State of Iowa or the nation, or who may otherwise be inducted into the military service of the State of Iowa or of the United States, or who are members of the civil air patrol.

2. Accounting

- (a) Qualified employees will be granted up to 30 calendar days of military leave with pay each calendar year for the purpose of participating in active state or federal military service.
- (b) Military leave may not be carried over from one calendar year to the next; however, the annual 30 calendar days of military leave shall be available at the first of the year and may be used by an employee on a military duty assignment that is continuous from the end of one calendar year into the next.

- (c) Military leave shall be paid at the employee's regular rate of pay in effect at the time of the employee's military leave of absence.
- (d) Days of military leave of absence shall be defined as inclusive calendar days, and shall not be restricted only to "normal scheduled working days." For example, an employee who participates in annual training of two weeks duration would be assessed military leave for the total number of days they were unavailable for City duty, not just the normal number of City work days included within that two-week period of time.
- (e) For employees who work on a shift system that enables the employee to perform military duty and to report to work on the same day, military leave shall be granted only for those scheduled work hours not worked, and shall be charged against the employees' annual military leave entitlement on an hour-for-hour basis. This provision shall apply only to weekend drills or other brief assignments. Annual training, deployments, or other extended duty assignments shall be charged on a calendar-day basis as in the preceding paragraph.
- (f) Multiple, and/or consecutive short-term military duty assignments without calendar breaks or with calendar breaks which do not reasonably permit the employee in the interim to return to City duty or to be available for City duty if in a work assignment with an on-call status shall be considered as a single, uninterrupted period of Military Leave of Absence.
- (g) Military leave that exceeds the 30-day per calendar year allotment may be taken with pay if the employee utilizes accrued pre-approved personal vacation, personal holiday, and/or compensatory time.
- (h) Military leave that exceeds the 30-day per calendar year allotment may be taken without pay at the request of the employee. This option is guaranteed by the Uniformed Services Employment and Reemployment Rights Act of 1994 (Chapter 38, *US Code*).
- (i) A Payroll Change Form shall be prepared by the department to authorize each period of military leave of absence.
- (j) Records of military leave usage shall be maintained by the employee's department.

3. Documentation

- (a) A schedule of the monthly "week-end drills" shall be presented to the supervisor by the employee as soon as it is released by the military organization. Schedules for drills and annual two-week training are normally set one year in advance; however, training dates are subject to change throughout a calendar year. The employee shall provide this information to the supervisor as soon as it is available.

- (b) The employee shall present orders from the military organization directing the employee to report for active duty service for any service other than the published weekend drills. Orders shall be presented as soon as possible prior to the requested leave.
- (c) It is the employee's responsibility to provide and submit all necessary information (such as unit's name, commander's name and phone number, or letter verifying leave to his/her supervisor) in order to facilitate the leave processes.

4. Work Schedules

- (a) Where not in conflict with applicable collective bargaining agreements, the City reserves the right to set working days and hours such that participation in military leave activities can occur on the employee's non-scheduled work days in order to maintain the maximum efficiency of a department. If this occurs, employees will not be charged with military leave on their regularly scheduled day(s) off.
- (b) Employees shall report for work at the beginning of the next regularly scheduled working period after expiration of the last calendar day necessary to travel from the place of training to the place of employment following release from military training, except as otherwise provided by the Uniformed Services Employment and Reemployment Rights Act of 1994.

5. Employee Status While Absent

Employees on active military duty will not forfeit any pay or benefits during the first 30 calendar days of military service in each calendar year. Seniority will continue to accrue during periods of military leave whether paid or unpaid.

6. Performance Evaluations

When an employee's military leave is of such duration as to make a scheduled performance appraisal impractical, the evaluation may be postponed until the employee has returned to City employment for a period equivalent to the normal appraisal period.

7. Pay Adjustments

Employees on military leave will be eligible for any scheduled pay adjustments that would have occurred if they had not been on leave. Merit employees shall have their salaries adjusted by the amount of any general merit scale adjustment effective July 1. Any additional merit increase based on performance evaluation shall be determined following the employee's first performance appraisal upon return to City service, and shall be retroactive to July 1.

8. Longevity Pay

Longevity payments will be paid to employees during military leave of absence.

9. Benefits

(a) Health Insurance

Employees whose military service exceeds the 30-calendar day period shall be eligible to receive group health care coverage under COBRA provisions.

(b) Long Term Disability Insurance

Long-term disability insurance is discontinued during periods of unpaid leave. Long-term disability insurance will be reinstated immediately upon an employee's return to City service following unpaid military leave.

(c) Life Insurance

Life insurance coverage will be continued for up to one month after the employee has been off work for unpaid military leave. Life insurance will be reinstated immediately upon an employee's return to City service following unpaid military leave.

(d) Vacation and Sick Leave

Vacation and sick leave will continue to accrue during periods of paid military leave of absence. During periods of unpaid leave, the employee's vacation and sick leave balances will be frozen, and will be available upon the employee's return to active City service. Should the employee elect not to return to active City service following a military leave of absence, accrued vacation will be paid at the rate of pay in effect at the time the employee was last in paid status. At the employee's request, and with the approval of the City Manager, an employee commencing a military leave of more than 90 days may be paid in a lump sum for any or all accrued vacation leave.

10.9 Emergency Leave

Emergency leave of up to three days with pay shall be granted to all probationary and regular full-time and regular part-time employees in the event of death or serious illness in the immediate family. Two days of additional emergency leave may be granted and charged to sick leave. Serious illness shall generally be considered to be an illness or injury causing an individual to be hospitalized in serious or critical condition or placed under hospice care. Days when an employee may be absent from the work place will be determined by the employee and the department head or the appropriate supervisor.

Emergency Leave use for the purpose of serious illness in the immediate family shall be limited to three (3) days per employee per fiscal year and shall be taken in a minimum of one (1) day increments.

For the purpose of this section, immediate family includes mother, father, foster parent, current step-parent, spouse, son, daughter, foster child, brother, sister, grandchild, grandparent, great-grandparent, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, step-father, step-mother, step-child, step-brother, or step-sister.

10.10 Funerals of City Employees

Regular full-time employees may be allowed up to four hours off with pay to attend the funeral of a City employee or of a retired City employee. The need for continuing essential services and emergencies may limit the number of employees who may attend a funeral. The department head may decide on the amount of time actually required for funeral attendance up to four hours and the number of employees who may attend the funeral.

10.11 Injury Leave

1. Accident Reports

When an employee of the City suffers an injury in the line of duty, a report of such accident shall be made immediately to the Risk Manager by the head of the department, or designee, in which such individual is employed. This report shall give all known details and circumstances pertaining to the injury and the names of all witnesses thereto.

2. Leave

Injury leave with pay shall be granted to employees who are incapacitated as a result of injury or occupational disease incurred while in the actual performance of their assigned duties and are eligible to receive benefits under the workers' compensation statutes of the Code of Iowa.

3. Authorization for Injury Leave With Pay

As a condition precedent for receiving injury leave with pay, the Risk Manager may require that the employee furnish a statement from a physician designated by the City, certifying the employee's disability.

4. Method of Payment

During injury leave, the City shall pay full base pay to the employee, either from salary funds or as workers' compensation benefits.

5. Extent of Leave

Injury leave may extend for as long as six months provided the employee remains eligible under the workers' compensation statutes of the Code of Iowa. An employee, if still disabled beyond six months, will be entitled to leave with pay as follows:

- a. Three months with workers' compensation benefits plus two-thirds of the difference between the employee's full base pay and workers' compensation benefits.
- b. Another three months with workers' compensation benefits plus one-third the difference between the employee's full base pay and workers' compensation benefits.
- c. At the end of one year from the date of injury, the employee shall be entitled to workers' compensation benefits for the duration of the disability.
- d. The employee, if unable to return to work after one year from the date of the injury, shall be eligible to use vacation and sick leave as provided for in these Policies and Procedures.

10.12 Jury Leave

Each employee who is required to serve as a trial juror or as a witness for the Federal Government or a political subdivision thereof, shall be entitled to be absent from work duties during the period of such service or while necessarily being present in court as a result of such call. Under such circumstance, the employee shall turn in any compensation received for such duty except for travel, food or lodging. The employee shall return to work if released from jury duty prior to the end of the employee's work day, unless the absence is excused by the supervisor.

10.13 Leave of Absence Without Pay

In the event that paid leave has been exhausted, department heads may grant a regular or probationary employee a leave of absence without pay not to exceed two weeks. Such leaves shall be reported immediately to the Human Resources Department and the Payroll Division of the Finance Department through a Payroll Change Form. A department head may request an exception from the City Manager if the employee hasn't exhausted all available paid leave.

The City Manager may grant a regular or a probationary employee leave of absence without pay in excess of two weeks based upon the recommendation of the department head. A request for leave shall be considered upon written request of the employee to the department head stating the reason for such request.

An employee's seniority status will be adjusted to reflect the period of leave in excess of 60 days, except for long term disability. Sick leave, vacation and holiday benefits do not accrue at any time during a leave without pay status. Extension of insurance coverage is available

at the employee's expense for the duration of the leave of absence, except that the City shall continue to pay its portion of the health insurance premium where required by the FMLA.

Upon expiration of the approved leave without pay, the employee shall be eligible to return to the position vacated or to a similar position. An employee not returning following the agreed-upon date of return shall be considered to have resigned.

See also Section 10.5(2) Medical Leave Without Pay.

10.14 Voting Leave

An employee whose work schedule is such that three consecutive non-working hours are not available during the period between the opening and closing of the polls is entitled to paid time off that will, together with the employee's non-working time, provide three consecutive hours during the time the polls are open.

Application for such absence shall be made in writing individually by the employee to the department head prior to the date of the election, and the department head shall designate the period of time to be taken.

10.15 Time Off For Blood Donations

Full-time regular and probationary employees who wish to donate blood shall be allowed time off with pay to make a donation for which the employee receives no remuneration. Time off with pay will normally be limited to a maximum of two hours at the time of the donation. In unusual circumstances or, as necessary for more complex medical procedures, additional time off with pay may be approved by the department head.

Employees wishing to take time off with pay to donate blood must receive approval from their immediate supervisor, or the department head as provided above, prior to leaving the assigned work area.

10.16 Family and Medical Leave

1. Statement of Policy

In accordance with the Family and Medical Leave Act, the City will grant job protected unpaid family and medical leave to eligible employees for up to twelve weeks per twelve-month period for any one or more of the following reasons:

- a. The birth of a child and to care for such child, or the placement of a child with the employee for adoption or foster care (Leave for this reason must be taken within the twelve-month period following the child's birth or placement with the employee); or
- b. In order to care for an immediate family member (spouse, child, or parent) of the employee if such immediate family member has a serious health condition; or

- c. The employee's own serious health condition that makes the employee unable to perform the functions of his/her position; or
- d. Because of any qualifying exigency (as the Secretary of State shall, by regulation, determine) arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation. Qualifying exigency is defined and include absence for: (1) short-notice deployment; (2) military events and related activities; (3) childcare and school activities; (4) financial and legal arrangements; (5) counseling; (6) rest and recuperation; (7) post-deployment activities; and (8) additional activities.

2. Servicemember Family Leave

Subject to certification, an eligible employee who is the spouse, son, daughter, parent or next of kin of a covered servicemember shall be entitled to a total of twenty-six weeks of leave during a twelve-month period to care for a servicemember with a serious illness or injury incurred in the line of duty or active duty. The leave described in this paragraph shall only be available during a single twelve-month period.

3. Combined Leave Total

During the single twelve-month period described in Section 2, an eligible employee shall be entitled to a combined total of twenty-six weeks of leave under Sections 1 and 2. Nothing in this paragraph shall be construed to limit the availability of leave under Section 1 during any other twelve-month period.

4. Definitions

- a. Twelve-month Period - means a rolling twelve-month period measured backward from the date leave is taken.
- b. Immediate Family Member - includes spouse, child or parent. Step relationships are included; in-laws and unmarried domestic partners are not.
- c. Child - means a child either under 18 years of age, or 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 day-to-day responsibility for care and includes a biological, adopted, foster or step-child.
- d. Serious Health Condition - means an illness, injury, impairment, or a physical or mental condition that involves:
 - 1. Inpatient care (an overnight stay) in a hospital, hospice, or residential medical care facility.

2. Any period of incapacity of more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves:
 - a. Treatment two or more times, within 30 days of the first day of incapacity, (unless extenuating circumstances exist), by a health care provider; or
 - b. Treatment by a health care provider on at least once occasion, which results in a regimen of continuing treatment under the supervision of the health care provider.

The requirement in paragraphs 2(a) and (b) of this section means an in-person visit to a health care provider. The first visit (or only) in-person treatment visit must take place within seven days of the first day of incapacity.

3. Pregnancy or prenatal care by a health care provider.
4. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition which:
 - a. Requires periodic visits at least twice per year for treatment by a healthcare provider, or by a nurse under direct supervision of a health care provider;
 - b. Continues over an extended period of time (including recurring episodes of a single underlying condition); and
 - c. May cause episodic incapacity rather than a continuing period of incapacity.
5. A period of incapacity, which is permanent or long-term, due to a condition for which treatment may not be effective.
6. Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, for restorative surgery after an accident or other injury; or a condition that would likely result in a period of incapacity of more than three consecutive, full calendar days in the absence of medical intervention or treatment.
- e. Active Duty – means duty under a call or order to active duty under a provision of law referred to in Section 101(a)(13)(B) of Title 10, United States Code.
- f. Covered Servicemember – means a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.
- g. Outpatient Status – with respect to a covered servicemember, means the status of a member of the Armed Forces assigned to:

1. a military medical treatment facility as an outpatient; or
 2. a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.
- h. Next of Kin – with respect to a covered servicemember, means the nearest blood relative of that individual.
- i. Serious Injury or Illness – in the case of a member of the Armed Forces, including a member of the National Guard or Reserves, means an injury or illness incurred by the member in line of duty on active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member's office, grade, rank or rating.
- j. Incapacity – inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment therefore, or recovery therefrom.
- k. Regimen of Continuing Treatment – includes, for example, a course of prescription medication (e.g., an antibiotic) or therapy requiring special equipment to resolve or alleviate the health condition. A regimen of continuing treatment does not include the taking of over-the-counter medications such as aspirin, antihistamines, or salves; or bed-rest, drinking fluids, exercise, and other similar activities that can be initiated without a visit to the health care provider.

5. Coverage and Eligibility

To be eligible for family/medical leave an employee must:

- a. Have worked for the City for at least twelve months. If the employee has had a break in service of seven years or greater, those years of prior employment would not be counted except if the break in service was due to National Guard or Reserve military service, or where otherwise provided through a written agreement, including a collective bargaining agreement; and
- b. Have worked at least 1,250 hours over the previous twelve-month period.

6. Intermittent or Reduced Leave

- a. An employee may take leave intermittently (a few days or a few hours at a time) or on a reduced leave schedule to care for an immediately family member with a serious health condition or because of a serious health condition of the employee when "medically necessary".
 1. "Medically necessary" means there must be a medical need for the leave and that the leave can best be accomplished through an intermittent or reduced leave schedule.

2. The employee may be required to transfer temporarily to a position with equivalent pay and benefits that better accommodates recurring periods of leave when the leave is planned based on scheduled medical treatment.
- b. An employee may take leave intermittently or on a reduced leave schedule for birth or placement for adoption or foster care of a child only with the department's consent.
- c. For part-time employees and those who work variable hours, the family and medical leave entitlement is calculated on a pro rata basis. A weekly average of the hours worked over the twelve weeks prior to the beginning of the leave should be used for calculating the employee's normal work week.

7. Substitution of Sick Leave and Vacation

- a. In the case of an employee's personal illness or injury, all accrued sick leave must be used before unpaid leave will be granted. Sick leave may not be used for the care of family members, nor may it be used in connection with the birth of a child except as medically necessary for the health of the mother.
- b. At the employee's option, accrued vacation or compensatory time may be used concurrently with unpaid FMLA leave.
- c. Both paid and unpaid leave will be counted toward the maximum twelve weeks entitlement. This means that an employee will not be entitled to twelve weeks of unpaid leave in addition to any paid leave taken under the FMLA.

8. Injury Leave and Workers' Compensation

When an employee is on injury leave and/or workers' compensation leave, such leave will not be designated concurrently as FMLA leave.

9. Notice Requirement

- a. An employee is required to give thirty days notice in the event of a foreseeable leave. In unexpected or unforeseeable situations, an employee should provide as much notice as is practicable, usually verbal notice within one or two business days of when the need for leave becomes known.
- b. If an employee fails to give thirty days notice for a foreseeable leave with no reasonable excuse for the delay, the leave may be denied until thirty days after the employee provides notice.

10. Medical Certification

- a. For leaves taken because of the employee's or a covered family member's serious health condition, the employee must submit a completed "Physician or Practitioner Certification" form and return the certification to Human Resources. Medical

certification must be provided by the employee within thirty days after the notice date. If the certification form is not received within thirty days from the time the notice is dated, then it will be denied. If extenuating circumstances prevent the employee from submitting the paperwork within 30 days, it is the employee's responsibility to contact the FMLA administrator prior to the expiration of that time period to request an extension.

- b. If an employee qualifies for FMLA and is absent because of his or her own health condition for more than three consecutive working days or the City becomes aware that an employee has been hospitalized, the City may designate that leave as FMLA by its own action.
- c. The City may require a second or third medical opinion (at its own expense), periodic reports on the employee's status and intent to return to work, and a fitness-for-duty report to return to work. The City reserves the right to specify or approve the employee's selection of a physician.
- d. All documentation related to the employee's or family member's medical condition will be held in strict confidence and maintained in the employee's medical records file.

11. Certification Related to Active Duty or Call to Active Duty

A request for leave under Section 1(d) must be supported by certification issued at such time and in such manner as the Secretary of State may by regulation prescribe. If the Secretary of State issues a regulation requiring such certification, the employee shall provide, in a timely manner, a copy of such certification to the City.

12. Effect on Benefits

- a. An employee granted an unpaid leave under this policy will continue to be covered under the City's employee health benefit trust, life insurance plan, and long-term disability plan under the same conditions as coverage would have been provided if he/she had been continuously employed during the leave period. This means that the City will continue to pay the costs of such benefits as when the employee was in active pay status. In the case of family health coverage, the employee will be responsible for payment of the employee's premium share as outlined below.
- b. Employee contributions for family health coverage will be required either through payroll deduction or by direct payment to the City. The employee will be advised in writing at the beginning of the leave period as to the amount and method of payment. Employee contribution amounts are subject to any change in rates that occur while the employee is on leave.
- c. If an employee's contribution is more than thirty days late, the City may terminate the employee's insurance coverage.

- d. If the City pays the employee contributions missed by the employee while on leave, the employee will be required to reimburse the City for delinquent payments (on a payroll deduction schedule) upon return from leave. The employee will be required to sign a written statement at the beginning of the leave period authorizing the payroll deduction for delinquent payments.
- e. If the employee fails to return from work upon unpaid family/medical leave for reasons other than (1) the continuation of a serious health condition of the employee or a covered family member, or (2) circumstances beyond the employee's control (certification required within 30 days of failure to return for either reason), the City may seek reimbursement from the employee for the portion of the premiums paid on behalf of that employee (also known as the employer contribution) during the period of leave.
- f. An employee is not entitled to accrual of sick leave or vacation during periods of unpaid leave but will not lose sick leave, vacation or seniority accrued prior to leave. In accordance with current City policy, seniority will continue to accrue during periods of unpaid leave up to 60 days.

13. Job Protection

If the employee returns to work following FMLA leave he/she will be entitled to return to his/her position. The right to reinstatement is, however, subject to any changes that would have affected his/her employment status even if such leave had not been taken. This means that the employee could be subject to transfer or layoff due to reorganization or abolishment of his/her position.

14. Family/Medical Leave Forms to be Submitted by the Employee

- a. Certification of Health Care Provider (Family Member/Serious Health Condition or Employee/Serious Health Condition)
- b. Certification of Qualifying Exigency for Military Family Leave
- c. Certification for Serious Injury or Illness of Covered Servicemember for Military Family Leave
- d. Authorization for Payroll Deduction for Benefit Plan Coverage Continuation during a Family/Medical Leave of Absence
- e. Fitness to Return to Work Certification

These forms may be obtained on-line from the Human Resources Department's intranet site.

Chapter 11

Hours of Service, Attendance, Overtime

11.1 Hours of Service

Except for part-time, seasonal and Fire Department shift personnel, a regular work day shall consist of 8 hours. Five days of 8 hours, or 40 hours, or a shift schedule corresponding to a 40-hour week, shall constitute a work week. Work weeks of a different number of hours may be approved by the City Manager, upon request of the department head.

11.2 Work Periods

Work periods for non-exempt employees shall be established by the department head and approved by the City Manager. Except for Police and Fire Department employees subject to shift work, the work period shall be seven consecutive days.

11.3 Flex-Time

Department heads may establish varying hours of work for certain positions or work units, provided that productivity and citizen services are not adversely affected. These will normally be within the limits of the 8-hour day and 40 hour week.

11.4 Attendance

Employees shall be in attendance at their place of work in accordance with City and departmental policies regarding hours of work, holidays, and leaves. All departments shall maintain daily individual attendance records for non-exempt employees.

11.5 Absence Without Leave

An employee absent without leave who, following notice to return to duty, fails to report as directed, shall be subject to termination. The failure of an employee to report to duty or communicate with management following an absence without leave of three consecutive working days, shall be considered a voluntary resignation.

11.6 Work Breaks

Employees may take a 15 minute rest break in the morning and in the afternoon which shall be considered paid time. Lunch periods shall be unpaid. Lunch periods and breaks shall be taken at times and for such periods as determined by the department head.

11.7 Days Off

All regular employees shall have two specified consecutive days off, Saturday and Sunday if possible. In case of emergency, or where required for the performance of an essential public service, an employee may be required to work on a regular day off. Days off shall not be changed for the purpose of avoiding overtime.

11.8 Overtime

Department heads or their designees may require employees to work after their normal quitting time or on regular days off. Except for emergencies such overtime shall be scheduled in advance. Employees shall be compensated in accordance with the overtime provisions of this chapter.

11.9 Overtime/Compensatory Time

1. Non-exempt Personnel

In the event an employee is required to work more than 8 hours in a work day, the employee shall be paid one and one-half times the regular hourly rate of compensation or shall earn compensatory time at the straight time hourly rate. If the employee has worked more than 40 hours in a one week work period, overtime hours for hours worked in excess of 40 shall be compensated in either cash overtime or compensatory time at one and one-half times the regular hourly rate as required by the Fair Labor Standards Act. Paid leaves such as vacation, holiday or sick leave are not considered hours worked under FLSA.

If an employee is released from duty and is thereafter called back to work, the employee will be paid at the overtime rate as provided herein. A minimum of one hour at the overtime rate shall be paid for such time worked.

2. Exempt Employees - Administrative Time Off

Managerial, professional, and administrative employees who are exempt from the Fair Labor Standards Act shall not be eligible for overtime compensation in cash or compensatory time. However, in recognition of the fact that their duties often require more time than the normal 40 hour work week, exempt employees may be allowed to take administrative time off consistent with effective performance of their duties and with the operating requirements and responsibilities of their department. Administrative time off is not an entitlement, but may be taken with approval of the department head, or City Manager in the case of department heads.

3. Work on Scheduled Days Off

Non-exempt employees who are required to work on scheduled days off or on holidays shall receive time and one-half in cash or compensatory time for all time worked. When the work is performed on a holiday the employee shall receive overtime compensation in addition to holiday pay.

4. Accrual and Use of Compensatory Time

Non-exempt employees, with the approval of the department head, may elect to receive compensatory time in lieu of cash overtime, provided that management may elect at any time to pay accrued compensatory time in cash. The maximum allowable accumulation of compensatory time for full-time employees shall be 80 hours. For part-time

employees, the maximum allowable accumulation shall be prorated. With prior approval of the City Manager compensatory time may be accumulated to a maximum of 240 hours.

5. Work Schedule Exceptions

This section shall not apply to Fire Department personnel assigned to 24-hour shifts or to other employees who are normally assigned to a work schedule other than a 5 day, 40 hour work week. Departmental policies for overtime for these employees shall be approved by the City Manager.

11.10 Inclement Weather

1. Closed or Curtailed Operations

In the event that any part of the City's operations is closed or curtailed by order of the City Manager or designee due to weather conditions, employees of the affected operations who were scheduled to work may be excused from duty. Such employees will not be paid for duty hours not worked, but may take paid leave by charging vacation leave or compensatory time as available and in accordance with bargaining agreements, if applicable.

2. Individual Absences

An employee of a work unit scheduled for duty who is unable to report to work due to adverse weather conditions may request an excused absence from the immediate supervisor prior to the start of the regular work day. The supervisor shall decide whether an excused absence due to weather is justified. If not granted by the supervisor, the employee shall be required to report to work at the scheduled time. The City may elect to provide transportation to or from work for employees who are unable to travel due to adverse weather conditions. If an excused absence is granted, the employee may take paid leave as provided in Paragraph 1 above.

3. Communication of Closings

Decisions to close or curtail City operations will be made by the City Manager or designee. It will be the responsibility of departments to inform or attempt to inform employees, as early as possible, of work closings. Employees who have not been contacted by department management are expected to check with their supervisors if uncertain whether to report to work.

3. This policy may also be invoked in the event of other types of emergency (e.g., toxic material hazard, epidemic, etc.).

Chapter 12 Personnel Records

12.1 Employee Service Records

The Human Resources Department shall maintain a service record for each regular employee of the City showing the name, title of position held, the department to which assigned, salary, changes in employment status and such other information as may be considered pertinent. Medical records shall be kept by the Human Resources Department separate from employee service records. Each employee shall promptly report all changes of name, address, and telephone number to the Human Resources Department. Information will be forwarded to the Payroll Division of Finance where appropriate.

12.2 Request for Payroll Change

Any temporary or permanent change in the employment status of an employee shall be reported by the department head to the Human Resources Department by completing a "Request for Payroll Change" form.

12.3 Destruction of Records

Payroll records shall be kept in accordance with applicable laws. Where not in conflict with existing statutes, all other personnel records, not a part of a current employee's personnel file, including correspondence, applications, examinations and reports may be destroyed after a reasonable period of time as deemed appropriate by the Human Resources Director.

12.4 Employee Personnel Files

The Human Resources Director is the official custodian of employee personnel files and has authority over the insertion or deletion of materials, and access to such files. As such,

1. An employee has the right to inspect the employee's own personnel file, and may obtain copies of materials in the file subject to a charge not to exceed the maximum permitted by the Code of Iowa. Subject to the Human Resources Director's approval, an employee may request that relevant documents be placed in the file.
2. Only City staff with an administrative need for information in a personnel or medical file may have access to such file. Ordinarily the employee will not be notified of such inspection of the file.
3. Access to personnel files by persons other than authorized City administrative staff may be subject to delay for up to ten days in order for the Human Resources Department to determine whether such information should be released as provided in the Code of Iowa. The employee whose file is involved will be notified of any such request. Employee names, job classifications, dates of employment and salaries will not be subject to these requirements and will be provided upon request.

4. A union shall be considered the designated representative of an employee who has filed a grievance under a union contract. The union representative may have access to the grievant's personnel file in order to investigate the grievance; however, if the union representative wishes to inspect the personnel files of other employees, those employees will be notified in accordance with paragraph 3, above.

Chapter 13

Grievance Procedures

13.1 Purpose

The purpose of these grievance procedures is to assure fair and equitable treatment for all employees not covered by a union contract, including supervisors and managers; to promote harmonious employer-employee relations; to establish a review procedure on matters for which an appeal and hearing are not specifically provided by law; to provide employees a systematic means for receiving full consideration of problems when efforts to resolve them through discussion have failed; to encourage the settlement of disagreements as near as possible to the point of origin; when necessary to provide an orderly procedure to handle the review and resolution of disagreements by successively higher supervisory levels; and to provide for resolution of disagreements as quickly and as efficiently as possible.

13.2 Authority

The City Manager or designee shall have the authority to resolve grievances on behalf of the City in those situations where the City Manager has partial or complete jurisdiction and for which an appeal procedure is not specifically provided by law or otherwise provided in these Policies and Procedures.

13.3 Grievance Procedures

1. General Provisions

- a. Grievances may be initiated only by the affected employee. At any level in the review process, the employee may request the assistance of another person to prepare and/or present the employee's case.
- b. Whenever possible, grievances will be handled during the regularly scheduled work hours of the parties involved. For purposes of this chapter, working days will be Monday through Friday, excluding City of Ames holidays. The employee and the employee's representative may use a reasonable amount of work time, as determined by the employee's department head, to prepare and present the grievance.
- c. The parties to the grievance may extend the time limits specified in the grievance procedure by mutual agreement. Upon failure of the City to comply with the time limits set forth in the procedure, the employee may proceed to the next level of review. Failure of the employee to comply with the time limits set forth in the procedure shall constitute an abandonment of the grievance.
- d. The employee is assured freedom from reprisal from the City or its representatives for using the grievance procedure.
- e. Records of grievance proceedings and supporting documentation will be maintained separately from the employee's personnel record.

2. Informal Grievance Procedure

An employee who has a problem or complaint should first try to get it settled through discussion with the immediate supervisor without undue delay. If, after this discussion, the employee does not believe the problem has been satisfactorily resolved, the employee shall have the right to discuss it with the supervisor's immediate superior, if any. Every effort should be made to find an acceptable solution by informal means at the lowest possible level of supervision. An informal appeal shall not be taken above the department head.

3. Formal Grievance Procedure

If the employee is not in agreement with the decision reached by the informal grievance procedure, a formal appeal shall be filed in writing within ten working days after the event giving rise to the grievance, or within five working days of the discussion between the grievant and the supervisor, whichever is later. In cases where the employee learns of the event after its occurrence, the ten days shall begin with the time the employee learned, or had reasonable opportunity to learn, of the occurrence.

- a. Step One. The appeal shall be presented in writing to the employee's immediate supervisor, who shall render a decision and comments in writing to the employee within five working days of receiving the appeal. If the employee does not agree with the supervisor's decision, or if no answer has been received within five working days, the employee may present the appeal in writing to the supervisor's immediate superior. Failure of the employee to take further action within five working days after receipt of the written decision of the supervisor, or within a total of ten working days if no decision is rendered, will constitute abandonment of the appeal.
- b. Step Two. The supervisor's immediate superior shall render a decision and comments in writing to the employee within five working days of receiving the appeal. If the employee does not agree with the decision, or if no answer has been received within five working days, the employee may present the appeal in writing to the department head. Failure of the employee to take further action within five working days after receipt of the decision, or within a total of ten working days if no decision is rendered, will constitute abandonment of the appeal.
- c. Step Three. The department head or a designated representative shall discuss the grievance with the employee, the employee's representative, if any, and with other appropriate persons. The department head shall render a decision and comments in writing to the employee within five working days of receiving the appeal. If the employee does not agree with the decision reached, or if no answer has been received within five working days, the employee may present the appeal in writing to the City Manager. Failure of the employee to take further action within five working days after receipt of the decision, or within a total of ten working days if no decision is rendered, will constitute abandonment of the appeal.

- d. Step Four. The City Manager or designee shall discuss the grievance with the employee, the employee's representative, if any, and with other appropriate persons. The City Manager may designate a fact-finding committee, an officer not in the normal line or supervision, or the Civil Service Commission, to advise the City Manager concerning the appeal. The City Manager shall render a decision in writing to the employee within ten working days of receiving the appeal. The City Manager's decision will be final.

Chapter 14 Discipline

14.1 Purpose

The purpose of this policy is to support the efficient delivery of services through an orderly and disciplined work force, and to protect the interests of the citizens of Ames, all City employees, and the good will and property of the City of Ames. The disciplinary procedures set forth herein are intended to be corrective where possible, and to provide for the orderly removal of employees who do not conform to standards of job performance or conduct.

14.2 Policy

An employee who fails to maintain proper standards of conduct as set forth in these Policies and Procedures or in departmental rules and regulations, shall be subject to disciplinary action up to and including discharge. Examples of transgressions that may result in disciplinary action include but are not limited to neglect of duties, disobedience of orders, willful misconduct or failure to properly perform the duties of the employee's position. The suspension, demotion or discharge of an employee holding Civil Service rights may be appealed to the Civil Service Commission as provided in Chapter 400 of the Code of Iowa. Non-Civil Service employees may appeal disciplinary actions through the grievance procedures.

14.3 Just Cause

Discipline of regular employees shall in all cases be based on just cause and be accompanied by written notice of the specific acts or omissions upon which the discipline is based.

14.4 Temporary Employees

All temporary employment, including seasonal, shall be at-will. A department head may terminate the employment of a temporary employee for any lawful reason, without right to appeal.

14.5 Progressive Discipline

The purpose of progressive discipline is to provide the opportunity for an employee to modify behavior to conform to standards of performance or conduct. Progressive discipline is a principle, and nothing in this chapter shall be construed to mean that all steps of progressively serious discipline must be followed in every case. The seriousness of each offense and the record of the employee shall be judged on their own merits, and discipline applied accordingly.

14.6 Pre-disciplinary Hearing

A department head who intends to suspend, demote or discharge a regular employee for cause shall provide the employee with a written notice of intent to discipline. Such notice shall set forth the act or omission upon which the disciplinary action is based. The notice shall inform the employee of the date and time of the employee's pre-disciplinary hearing. The employee shall be advised that, at the pre-disciplinary hearing, the employee shall have the opportunity to present reasons why proposed discipline should not be imposed. At the conclusion of the hearing or within a reasonable time thereafter, the employee will be informed if the proposed discipline will occur. During a pre-disciplinary hearing the employee may have another person present for counsel or as a witness to the proceeding; however, such person may not serve as an advocate or speak for the employee.

The City Manager may authorize or direct that a staff member other than a department head conduct a pre-disciplinary hearing. The City Manager may grant such authority in specific cases, or may grant general authority to a department head to delegate the conduct of pre-disciplinary hearings to other managerial staff of the department.

14.7 Forms of Action

1. Oral Reprimand

The supervisor shall issue an oral reprimand to put the employee on notice that the employee's performance or conduct is substandard and to advise the employee of the expected improvement of conduct. Following an oral reprimand, continued substandard conduct or performance may warrant a higher degree of discipline.

2. Written Reprimand

In the case of a more serious offense or in the case where an employee's performance or conduct has not improved as a result of one or more oral reprimands, the supervisor shall issue a written reprimand. This written record puts the employee on formal notice that the employee's performance or conduct is unacceptable. It also documents the specific acts or omissions upon which the discipline is based as well as the expected corrective action. Following written reprimands, continued substandard conduct or performance may warrant a higher degree of discipline.

3. Suspension

In the case of serious or intentional transgression, or in the case where an employee's performance or conduct has not improved as a result of prior discipline, an employee may be suspended without pay. With the approval of the City Manager, the department head may suspend an employee without pay for up to 30 calendar days. The employee shall receive a written notice of the suspension which documents the specific acts or omissions upon which the discipline is based as well as the expected corrective action. Following suspension, continued substandard conduct or performance may warrant a higher degree of discipline.

Employees who are exempt from the Fair Labor Standards Act shall not be subject to suspension without pay for periods of less than a seven-day work period. However, in situations involving workplace misconduct such as sexual harassment, violence, drug or alcohol violations, or violations of state or federal laws, exempt employees may be suspended for periods of less than a seven-day work period at the discretion of the City Manager.

4. Demotion

The department head may, with the approval of the City Manager, demote an employee. An employee who is demoted must possess the minimum qualifications for the lower position. The employee shall be given timely written notice of the demotion and the reasons for the action.

The employee may be allowed to retain the same rate of pay in the lower position as was held in the higher position before the demotion, providing that the employee's rate of pay is not higher than the maximum rate of pay for the lower position. Upon the department head's recommendation and with the approval of the City Manager, further reduction in pay may be ordered.

5. Discharge

With just cause and with the approval of the City Manager, the department head may discharge an employee.

Chapter 15 Separation

15.1 Voluntary Separation

A voluntary separation is one which is initiated by the employee.

1. Resignation

All employees are expected to give a two-week written notice to the department head of their intent to resign. Department heads shall submit their notice to the City Manager. In the case of supervisors or employees with equivalent or higher rank, every effort should be made to give as much notice as possible. The department head shall notify the Human Resources Department of the pending resignation. Terminal Leave shall be compensated in accordance with Section 10.4(6) of these Policies and Procedures.

2. Retirement

Employees are expected to give as much notice as possible to the department head of their intent to retire. Such notice shall be in writing. Department heads shall submit their notice to the City Manager. Application for retirement benefits should be made to the appropriate retirement system. Terminal Leave shall be compensated in accordance with Section 10.4(6), and payment of unused sick leave shall be compensated in accordance with Section 10.5(3) of these Policies and Procedures.

An employee covered by the utility retirement plan must be at least 55 years of age and have 8 years of service with the City to be eligible to receive a retirement sick leave payout and continue under the City's health insurance plan as a retiree.

3. Exit Questionnaire

Employees leaving the City Service will be asked to complete an exit questionnaire. Responses to the questions will assist the Human Resources Department in evaluating the conditions of employment within the City organization and the competitive position of the City in the employment market. Participation is voluntary.

15.2 Involuntary Separation

An involuntary separation is one which is not initiated by the employee.

1. Discharge

- a. Discharge during the employee's probationary period shall be without right to appeal as provided in Chapter 6 of these Policies and Procedures and, in the case of Civil Service employees, as provided by Chapter 400 of the Code of Iowa.
- b. Disciplinary discharges shall be in accordance with Chapter 14 of these Policies and Procedures.

- c. Terminal leave for discharged employees shall be compensated in accordance with Section 10.4.6 of these Policies and Procedures.
- d. Temporary employees, including seasonal, may be discharged by the department head for any lawful reason without right to appeal.

2. Layoff

- a. In general, when the number of employees in a class is diminished, employees shall be laid off in the reverse order of seniority in the class or classes affected. If such an employee has served previously in a lower Civil Service class the employee may replace ("bump") the least senior employee in that class. In such cases seniority in the higher class shall be combined with seniority in the lower class to determine relative seniority in the lower class.
- b. The layoff procedures for employees not holding Civil Service rights shall be in accordance with the principles established by Chapter 400, except that there will be no preferred list for non-Civil Service positions.
- c. Accrued vacation leave will be paid upon layoff. An employee who accepts part-time regular employment in lieu of layoff may receive payment for all accrued vacation, or may elect to retain any or all accrued vacation up to the maximum allowable for the status of the new position, and receive payment for any remaining balance.
- d. Accrued sick leave will be frozen for a period of three years from the date of layoff. Upon being rehired into any benefited position in the City service within the three-year period, the employee shall have all frozen sick leave credited to the employee's account. If the employee is not rehired by the City into a benefited position within three years, the accrued sick leave is forfeited.
- e. If the employee is rehired into any position within three years, the employee's seniority as of the date of the layoff shall be reinstated. For benefited positions, such seniority reinstatement will affect vacation accrual, longevity pay and other City and departmental seniority-dependent benefits.

Chapter 16

Employee Development

16.1 Purpose

The purpose of the City's support of employee development is to enhance the employee's potential for productivity in a City position, as well as supporting self-development for career advancement within the City.

16.2 Personal Action Plans

Because employee development is an integral component of performance management, it is expected that individual development goals and plans will be established jointly between employees and supervisors as part of the performance management cycle. Personal action plans shall be considered in preparing departmental training budgets.

16.3 Voluntary Educational Programs

1. Criteria for Eligibility

An employee must have completed the six-month probationary period in order to be eligible for participation in the educational assistance program. Courses must be job-related, either to the employee's present position or one within the normal career progression from the employee's present position.

It is not the intent of this policy to provide support for entire college degree programs even though a degree may be required for professional or managerial positions to which an employee might aspire. In order to qualify for educational assistance each course must be justified as job-related.

Educational assistance shall not be considered an employee right but shall be granted at the discretion of management. In evaluating requests for such assistance consideration will be given to the availability of funds, immediate and long term staffing needs, impact on productivity, and the employee's work record and potential for continued employment with the City.

2. Application Procedure

An employee who wishes to participate in an external training program, normally at an accredited college or university, must submit a written request to the department head at least three weeks prior to the commencement of the course. The request shall include the title and description of the course, dates of attendance, an estimate of the cost, and the assistance option desired by the employee. Justification for participation and the course's relatedness to the job must also be included in the request.

3. Assistance Options

An eligible employee may receive not more than one of the following forms of educational assistance.

a. Reimbursement for Educational Expense

An employee may elect to attend classes during non-working hours and receive full reimbursement for tuition.

b. Monthly Educational Incentive Payment

(Effective July 1, 2006, option "b" will not be available for enrollments commencing July 1, 2006 or after.)

An employee may elect to receive \$5.00 per month for every three-credit course, or equivalent, up to a maximum of \$50 per month. Participation must be during the employee's non-working hours.

c. Time Off With Pay

An employee may elect to attend classes during regular working hours and may receive time off to attend class. In no case shall time off exceed six hours during a one week period.

4. Documentation of Completion

A certificate or other documentation of completion of the course with a minimum passing grade of C (or its equivalent) must be submitted to the department head. The department head shall approve the reimbursement order, and the certificate of completion of the course shall be sent to the Human Resources Department and made a part of the employee's personnel file.

5. Reimbursement Upon Termination Within One Year

- a. If an employee who has received reimbursement terminates City employment within one year of completion of the course, an amount equal to the reimbursement will be deducted from the employee's last paycheck.
- b. If an employee has used the option of time off with pay in order to attend class during working hours, and terminates City employment within one year of such attendance, an amount equal to the employee's hourly rate of pay will be deducted from the last pay check, for each hour of paid class attendance within the one year period.

16.4 Mandatory Educational Requirements

In the event an employee is required to participate in educational training, such as an apprenticeship program, as a condition of employment, the employee shall not be eligible for any of the educational assistance provisions outlined above.

If the mandatory participation involves a college course, it shall be considered in-service training and the employee will receive the appropriate rate of pay for all hours in attendance. Tuition and fees will be paid by the City. The employee shall not be eligible for an incentive payment. This form of mandatory training is subject to the approval of the City Manager.

16.5 In-Service Training

The City may require or approve training programs for employees. The City shall pay all training expenses for approved job-related training. The Fair Labor Standards Act (FLSA) includes detailed guidelines for compensating non-exempt employees for participation in job-related training. In general, such employees shall be paid at the regular rate of pay for all hours in attendance at the seminar, workshop, etc., and for travel time to and from the training site. In the case of out of town training events involving an overnight stay, the general rule is that a non-exempt employee shall be paid for travel and participation only during the employee's normal hours of work. Exempt employees are not eligible for compensatory time or cash overtime for participating in in-service training.

Because of the complexity of the FLSA rules, staff is encouraged to seek guidance from Human Resources in specific cases.

16.6 Credit for Training

Participation in and successful completion of courses shall be considered in making advancement and promotion decisions.

Chapter 17

Employee Recognition Programs

17.1 Purpose

The purpose of the awards program is to encourage creative thinking and innovative ideas and exceptional citizen service and to recognize employees who make these contributions.

There are five categories of Employee Awards:

17.2 Employee Customer Service Award

The Employee Customer Service Award is designed to honor City employees who provide exceptional direct customer service to the citizens of Ames. Nominations can be made by a co-worker, supervisor or Ames resident. Nominations should describe the service provided by the employee and indicate the significance of the service to the resident. The award will be given for a contribution associated with the employee's work for the City, but the act should reflect a contribution beyond the scope of normal responsibilities. The employee will receive a framed letter from the City Manager congratulating them for their contributions. A copy of this letter will also be placed in their personnel files. The award will be presented at the annual Employee Recognition Luncheon.

17.3 Suggestion Award

The Suggestion Award recognizes City employees for achievements, accomplishments, contributions and/or suggestions that: are a cost savings in City operations, improve quality of City services, improve public relations, or improve employee morale. Employees who make suggestions which are implemented will be recognized as follows:

1. For suggestions which are implemented but do not reduce costs, the employee(s) will receive a cash award of \$25, a Suggestion Award containing the Suggestion Program logo, as well as a letter from the City Manager congratulating them for their achievements, accomplishments or contributions. A copy of this letter will be placed in the employee's personnel file.
2. For suggestions which fall within the realm of an employee's assigned job responsibilities or established policy, the employee(s) will receive a cash award of \$25, a Suggestion Award containing the Suggestion Program Logo, as well as a letter from the City Manager congratulating them for their achievements, accomplishments, or contributions. A copy of this letter will also be placed in their personnel files.
3. For suggestions which are implemented and reduce costs, the employee(s) will receive 25 percent of the actual documented cost savings within a twelve-month period up to a maximum of a \$500 cash award. The employee(s) will also receive a Suggestion Award as well as a letter from the City Manager. A copy of this letter will also be placed in their personnel files.

The cash award will be made as soon as it has been documented that the savings have actually occurred. If the savings are of an on-going nature, the cash award will be based on the actual savings realized over the first twelve months of the suggestion's implementation. A cash award will not be made if the cost savings proposed results in a City service level reduction. The cash award will be made from the departmental budget where the savings occurred.

17.4 Certificate of Commendation

This award is designed to honor City employees who have clearly "gone above and beyond their expected duty in an emergency situation" in service to the citizens of Ames. Such contributions could be associated with an employee's work for the City, although service rendered outside of an employee's normal responsibilities will also be considered. This award category may also be considered for the Humanitarian Service Award. The recipients will receive a Certificate of Commendation commemorating the award. The award will be presented at the annual Employee Recognition Luncheon.

17.5 Humanitarian Service Award

This award is designed to honor City employees who have clearly "gone the extra mile" in service to the citizens of Ames. Such contributions could be associated with an employee's work for the City; service rendered outside of an employee's normal responsibilities would receive a higher consideration. The recipients will receive their own plaque commemorating the award. In addition, the recipients' names and contributions will be designated on a plaque permanently displayed in City Hall.

17.6 Sprenkel Achievement Award

The Sprenkel Achievement Award is designed to honor a City employee(s) who has exhibited the initiative to make a significant contribution to the City organization through actions above and beyond the scope of the employee's job responsibilities.

The Sprenkel Achievement Award must be for a contribution which has already been achieved or implemented. Preference will be given to the impact and duration of accomplishment. No extra compensation other than a suggestion award payment can have been received. The recipients will receive their own plaque commemorating the award and a \$50 gift certificate. In addition, the recipients' names and contributions will be designated on a plaque to be permanently displayed in City Hall.

17.7 Eligibility and Procedures

1. Employee Eligibility

All City of Ames regular full-time or part-time employees are eligible with the following exceptions:

- a. For the Suggestion Award, Sprenkel Achievement Award and Certificate of Commendation, members of the Employee Council Awards Committee, Department heads, the City Manager, and his assistants are not eligible.
- b. For the Humanitarian Service Award, only the members of the Employee Council Awards Committee are not eligible.
- c. For the Employee Customer Service Awards, all City of Ames employees are eligible except department heads, the City Manager, and his assistants.

2. Topics Not Eligible

- a. Pay
- b. Benefits
- c. Union bargaining

3. For An Idea To Be Eligible, It Must

- a. Be original to the City. If the idea is a duplicate of one already received, the idea received first will be the one considered.
- b. If the suggestion has not yet been implemented, it must recommend a specific action.
- c. If already implemented, it must have been within the period of eighteen months prior to the date that the application is received by the City Manager's office.

4. When, Where, And How To Submit Applications

- a. Complete the application form. The application should be legibly printed, written or typed. If necessary, attach additional information, diagram sketches or pages. Make a copy of the application and any attachments for your records.
- b. Submit original application to the City Manager's office.
- c. Applications can and should be submitted anytime throughout the year. Applications for the Certificate of Commendation, Employee Customer Service Award, Humanitarian Service Award and the Sprenkel Achievement Award received after March 1 will be considered the following year.

5. What Happens To The Applications After They Have Been Submitted

- a. Applications submitted for the Suggestion Awards will be evaluated as received by the Awards Committee of the Employee Council and the appropriate departmenthead. Suggestion Awards will be made on a regular basis. All applicants will be notified of the committee's findings after the evaluation has been completed. Periodic progress reports may be issued as deemed necessary by the committee.
- b. The Awards Committee of the Employee Council will evaluate applications for the Humanitarian Service Award and make the final selection(s). The award will be presented at the annual Employee Recognition Luncheon.
- c. For the Customer Service Award, Certificate of Commendation, and Sprengel Achievement awards, applications will be evaluated by the Awards Committee of the Employee Council who will make a recommendation to the City Manager. Utilizing the recommendation of the Awards Committee, the City Manager will make the final selection(s). These awards will be presented at the annual Employee Recognition Luncheon by the City Manager.
- d. Due to Federal regulations, cash awards over \$30 will be treated as wages for tax purposes; and are, therefore, subject to State and Federal withholding.
- e. If two or more employees are determined to be jointly responsible for a suggestion which is implemented, any cash award will be divided equally among them or as specified by the department head.

17.8 Employee Service Awards

The City of Ames has determined that it is appropriate to recognize City employees who have contributed to the service of the City and to the citizens of Ames for a period of years. Each benefited employee who has completed five years of service (or an increment of five years of service) by April 1 of that year is recognized at the Employee Service Award luncheon. Funds for these awards shall be paid from the budgeted funds of the department in which the honored individual is currently employed.

17.9 Employee Retirement Gifts

A gift of tangible personal property may be given to an employee who retires from City employment. A monetary gift is prohibited. The department shall determine the type of gift to be given. The gift shall be given for the express purpose of recognizing the employee's length of service to the City of Ames. The value of the gift shall depend on the employee's length of service according to the following schedule:

<u>Service Years</u>	<u>Maximum Amount</u>	<u>Service Years</u>	<u>Maximum Amount</u>
0-5	\$50	19	190
6	60	20	200
7	70	21	210
8	80	22	220
9	90	23	230
10	100	24	240
11	110	25	250
12	120	26	260
13	130	27	270
14	140	28	280
15	150	29	290
16	160	30	300
17	170	30+	\$10 added to the \$300 for each additional year
18	180		

The gift may be given at a reception for the individual to honor the employee's length of service. The supplies for such a reception may be paid from departmental funds if the amount is less than \$300.

Chapter 18 Retirement Systems

18.1 Membership

An employee who meets the membership requirements established by State law or by City ordinance for one or more of the respective retirement systems of the City shall become a member of one of the systems upon employment.

18.2 Social Security

Payroll deductions for Social Security shall be made for members of both the IPERS and the Utility Retirement Systems. The City shall match the employee's contribution to Social Security.

18.3 Retirement

Normal, early and disability retirement criteria are established for each respective retirement system. Employees retiring under the utility retirement plan should also reference Section 15.1(2) for eligibility criteria.

Information regarding the retirement systems may be obtained from the Human Resources Department.

Chapter 19

Medical Examination

19.1 New Employees

Original appointments for all regular full-time and part-time positions shall be conditioned upon a medical examination to determine whether the individual is able to perform the essential functions of the position. No person shall be disqualified for appointment on the basis of such examination unless it is determined that no reasonable accommodation (if required by the Americans With Disabilities Act and/or the Code of Iowa) can be made.

19.2 Examination Forms

Forms to be used by the examining physician shall be prescribed or approved by the Human Resources Director. Information contained in medical reports shall be confidential and shall be available only to authorized persons (see Chapter 12 Personnel Records).

19.3 Reasonable Accommodation

When, by reason of a claimed disability, a candidate for employment may require reasonable accommodation in order to perform the essential functions of the job; or, when a City employee by reason of a claimed disability, may require reasonable accommodation in order to continue performing the essential functions of his or her job, the individual claiming the disability shall notify the Human Resources Director or the director of the department in which the position is located, of the claimed disability and the request for reasonable accommodation.

There shall be a committee consisting of the Human Resources Director, who shall chair the committee, the Risk Manager, and the department director or designee. The committee shall review the facts of the case and determine whether the candidate or employee has a disability within the meaning of the Americans With Disabilities Act or the Iowa Civil Rights Act and is otherwise qualified; and, whether an accommodation requested by the candidate or employee may be feasible.

The candidate or employee claiming to have a disability and requesting an accommodation for that disability shall provide to the committee:

documented medical evidence of the claimed disability;

a written statement of the means of accommodation that would enable the candidate or employee to perform the essential functions of the job to meet City performance standards;

a written statement of acceptance or rejection of any alternative means of accommodation proposed by the committee, and the reason for any such rejection.

The committee shall, within a reasonable time, submit to the City Manager, a written report of its determination and recommendations. The City Manager shall make the final decision on disability and accommodation within a reasonable time after receiving the committee's report and such additional information or analysis as the City Manager may call for.

19.4 Examinations During Employment

When, in the judgment of the department head, an employee's physical or mental condition is such that it is desirable to evaluate the employee's ability to perform essential job functions and to comply with work rules and standards of conduct, the department head may, with the approval of the City Manager, require the employee to undergo an examination at City expense. The following procedure shall be followed:

1. The employee shall be examined by one of the staff physicians in the McFarland Clinic Occupational Medicine Department, or other physician or health care provider as the City Manager may direct. The employee shall have the right to submit to the examining physician or other provider reports, opinions or other information provided by the employee's own physician or health care provider.
2. The report of the examining physician or provider shall be submitted to the Human Resources Director who shall confer with appropriate management staff and make a report to the City Manager concerning the employee's fitness for duty and any recommended action.
3. The results of the examination shall be confidential, with access to medical information limited to management staff who need the information to make employment-related decisions.

19.5 Examination Following Absence

Any employee who has been required to take prolonged or frequent leave due to illness or injury may be required to either submit a written release from the attending physician or to take an examination before returning to work. The department head shall determine if such a release or examination is required.

19.6 Employee Assistance Program

Benefited regular employees and their eligible dependents are eligible to participate in the Employee Assistance Program. This program provides confidential assessment and referral service through providers in the Ames and Des Moines areas. Employees and their eligible dependents may receive assistance with problems that may affect their work such as substance abuse, stress, marital or family problems, mental health concerns, and financial difficulties. In addition, supervisors may, with the approval of the Human Resources Director, make directed referrals as part of a corrective performance management or progressive discipline plan. The telephone number for the Employee Assistance Program is 1-800-EAP-IOWA (327-4692).

Chapter 20

Miscellaneous Policies

20.1 Outside Employment

No employee in the City Service may hold outside employment unless approved by the department head. It is the intent of this rule that the City be the primary employer; that the employee give full commitment, effort and energy to the City; and that the outside employment not be incompatible with the City's interests. Approval of outside employment will not be unreasonably withheld.

20.2 Incompatible Activities

An employee shall not engage in any activity or enterprise which is incompatible with the employee's job duties and responsibilities; the responsibilities, functions and mission of the department in which the employee works; or other interests of the City. Any employment, activity, or enterprise shall be considered incompatible with City employment where it:

1. Involves the personal use, whether for financial gain or not, of the City's time, facilities, equipment, or supplies, or the badge, uniform, prestige, or influence of a City office or employment; or
2. Involves the receipt or acceptance by the employee of any money or other consideration from anyone other than the City for performance of an act which the employee would be required or expected to render in the regular course of City employment or as part of the duties as a City employee; or
3. Involves the performance of a non-work-related act by a City employee which may later be subject, directly or indirectly, to control, inspection, review, audit, or enforcement by such employee or the employing agency.

20.3 Maintenance of Credentials

The maintenance of qualifications is the responsibility of every employee and is an essential function of all City jobs. As a condition of continuing employment, an employee must maintain any licenses or certification credentials specified in the current class specification for the employee's job, or required by federal, state, or City law. An employee shall notify the department head immediately in the event of loss of a required credential. Failure to maintain required credentials shall be considered grounds for termination of employment.

1. An employee who fails to maintain required credentials shall be terminated if:
 - The activity requiring the credential is the core defining function of the job, e.g., Attorney, Transit Driver, Water or WPC Plant Operator; and/or,
 - The department is unwilling to allow the employee to continue to work because of cost, lost productivity or other negative impact; and/or,
 - The employee will be without the credential for more than six (6) months; and/or
 - It is the employee's second loss of credential during City employment; and/or,

- The employee's past disciplinary record warrants termination; and/or,
 - The employee refuses to accept an unpaid leave of absence under the provisions below; and/or
 - The employee is still on probation.
2. An employee may be granted an unpaid leave of absence for the period without the credential if:
- The activity requiring the credential is not the defining function of the job; and,
 - The employee will be without the credential for not more than six (6) months; and,
 - The department is unwilling to allow the employee to continue to work because of cost, lost productivity, or other negative impact; and,
 - The employee's disciplinary record does not warrant termination.

If the required credential is temporarily lost due to the employee's negligence, or the employee's act of misconduct, the employee shall receive a disciplinary suspension without pay not to exceed the period without the credential, to a maximum of thirty (30) days. Suspension of an FLSA exempt employee shall not be less than a full work week. Leave without pay shall be granted only for that portion of the absence beyond the period of the suspension.

An employee who is unwilling to accept an unpaid leave of absence shall be terminated.

3. An employee may be allowed to continue working without performing the activity requiring the credential during the period without the credential for not more than six (6) months if:
- The activity requiring the credential is not the defining function of the job; and,
 - After considering the potential impact on factors such as cost, productivity, or service levels, the department is willing to allow the employee to continue to work.

If the required credential is temporarily lost due to the employee's negligence, or the employee's act of misconduct, the employee shall receive a disciplinary suspension without pay not to exceed the period without the credential, to a maximum of thirty (30) days. Suspension of an FLSA exempt employee shall not be less than a full work week.

4. In the case of newly hired or promoted employees the individual must, as a condition of continuing employment, obtain any required licenses or credentials within the time period specified in the class specification or by the appointing authority. An employee who fails to obtain such required credentials within the specified time limits shall be terminated.
5. In cases where the activity requiring the credential is not the core defining function of the job, the termination or unpaid leave provisions of (1) or (2) may be waived if the employee submits to the department head a plan by which the duties requiring the credential can be performed without the credential without increased cost to the City, loss of productivity, reduced service levels, or other negative impact. The plan must be

in writing, submitted in a timely manner, and acceptable to the department head. If the employee fails to carry out the plan, or if the plan does not result in satisfactory performance of the activity, or results in other negative impact on the City, the employee shall be removed from the position in accordance with (1) or (2). Notwithstanding the provisions of this subsection, the employee shall be subject to a disciplinary suspension as provided elsewhere in this policy.

6. The administration of the Maintenance of Credentials policy shall be the responsibility of the department head. Actions taken under this policy shall be reviewed by the Human Resources Director and approved by the City Manager. If, in the opinion of the City Manager, the strict application of this policy in a specific case would not serve the best interests of the City, the City Manager may waive or modify provisions of this policy. Examples of such circumstances include loss of a credential for a brief period, or other situations in which the loss of the credential would have such minimal impact on cost, productivity, etc., that the strict application of this policy would be inappropriate.

20.4 Use of City Equipment

Employees may not use City equipment or supplies for personal use without the approval of the department head. Equipment may not be removed from its authorized City location.

20.5 Acceptance and Reporting of Gifts

All City employees are expressly prohibited from accepting directly or indirectly from any person, company or corporation any rebate, gift, money, discount, or anything of value if:

1. The giver is seeking to be a party to a contract with the City; or
2. The giver is regulated by the City; or
3. The giver will be affected financially by the performance or non-performance of the donee's official duty.

Excluded are:

1. Informational materials pertaining to official functions.
2. Things received from relatives.
3. An inheritance.
4. Things distributed to the general public.
5. Travel and accommodations for participating as a speaker or panelist at a meeting.
6. Items of negligible resale value given as recognition for public service.

Exception is also made in the case of a non-monetary gift or series of non-monetary gifts if donated to the City or a bona fide educational or charitable organization within thirty days. The recipient must turn over such gift(s) within 30 days of receiving it.

20.6 Employment of Relatives

No individual may be hired or transferred into a position in which the employee would be supervised by a member of the immediate family or in which the family member would have administrative discretion over the individual's terms and conditions of employment; or in which the individual would supervise a member of the immediate family or have administrative discretion over the family member's terms and conditions of employment. For purposes of this paragraph, immediate family consists of mother, father, spouse, son, daughter, brother, sister, grandparent, grandchild, mother-in-law, father-in-law, brother-in-law, sister-in-law, foster parent, foster child, step-parent, step-child, step-brother, step-sister, cousin, aunt or uncle.

20.7 Residence Requirement

All City employees whose positions are designated as critical in nature by the City Manager shall reside within a reasonable distance of their work place with the City, such distance to be determined by the department head. Department heads are required to live within the city limits of Ames.

20.8 Mileage Reimbursement

The City rate for reimbursement to employees who use their personal auto for City business is 90% of the IRS mileage rate, adjusted annually on July 1 of each year. The City reimbursement rate shall never exceed the IRS rate in any instance. Employees in a professional or managerial capacity with the City shall not receive mileage reimbursement for use of their personal auto for City business within the City limits.

20.9 Immigration Reform and Control Act of 1986

1. Policy

All employees hired after November 6, 1986 must submit for review by authorized City staff original documents that establish the employees' identity and eligibility to work in the United States. The Human Resources Department shall collect this employment information for regular full-time and part-time employees. Depending on the department, either the Human Resources Department or the department head/designee shall collect this information for temporary and seasonal employees.

2. Providing and Retaining Documentation

New employees shall provide the required documentation within three days of employment. It shall be retained for three years after the individual's employment ends. Seasonal and temporary employees must complete a new INS Form I-9 upon each rehiring.

3. Unlawful Discrimination

Title VII of the Civil Rights Act of 1964 and the remedies it provides against illegal discrimination remain in effect. Title VII, among other things, prohibits illegal discrimination against any individual on the basis of national origin in hiring, discharge, recruitment, assignment, compensation, and other terms and conditions of employment.

The Immigration Reform and Control Act of 1986 prohibits illegal discrimination. The City shall not discriminate against any individual in hiring, discharging, or recruiting because of that individual's national origin or citizenship status.

20.10 Employees Serving in More Than One Capacity

The simultaneous employment of an individual in more than one job classification is strongly discouraged. Any such appointments are subject to approval of the City Manager, after review by the Human Resources Director. It is the responsibility of the director(s) of the employing department(s) to ensure that the requirements of the Fair Labor Standards Act are complied with.

20.11 Employee Identification Cards

Employees who deal with the citizens of Ames, either in their homes or at their places of employment, must carry a picture identification card during all work hours. The Human Resources Department shall provide an authorization form for all regular employees at the request of their supervisor. Identification cards will be issued at the Drivers' License Station in Ames upon submittal of the authorization form. The cost of the identification card shall be borne by the employing department.

20.12 Smoking Policy

Pursuant to the Iowa Smokefree Air Act, this policy applies to all employees of the City of Ames. Smoking is not allowed in any City building, vehicle, or equipment (mowers, backhoes, etc.). Smoking is not allowed on the grounds of any public building, building complex, parking lots, or in any vehicle (personal or City owned) located in the parking lots of public buildings or facilities.

Smoking will not be allowed at work sites, even if those are not on the grounds of or within a publicly owned building. Employees whose work site is not a fixed location (utility, street, park, cemetery, lineworkers, etc.) may not smoke at these sites. Locations where employees work on any given day are their "work sites."

Employees may be permitted to smoke during break periods provided by City policy or bargaining agreements if department/division work rules/requirements allow for the employee to leave the worksite and/or prohibited areas to an area where smoking is not prohibited, such as sidewalks; however, employees may not take smoke breaks in addition to such designated rest breaks nor take longer than provided for breaks to accommodate the time required to get to an area where smoking is permitted.

20.13 Workplace Violence

Purpose

Violence in any form, or the threat of violence, has no place in the City organization. It is the policy of the City of Ames that all employees and those who have contact with City staff have the right to be free from violence. It is the goal of the City to rid all work sites of violent behavior or the threat of such behavior. The prevention of violence, and the reporting and management of critical incidents are shared obligations of all employees and managers.

Policy

Violence, or the threat of violence, by or against any employee of the City of Ames or any other person is strictly prohibited and will subject the perpetrator to serious disciplinary action up to and including termination of employment, and possible criminal prosecution.

Possession, use, or threat of use of dangerous weapons, including all firearms, by any person, is not permitted at City work sites, including in a City vehicle, or in parking areas designated for employee parking, unless such possession or use of a weapon is a necessary and approved requirement of the employee's City job. It is recognized that lawful possession of dangerous weapons by non-City employees at City work sites located on private property or the traveled portion of public streets cannot be prevented.

Dangerous weapons are as defined in Section 702.7 of the Code of Iowa and include, but are not limited to, any offensive weapon, pistol, revolver, or other firearm, dagger, razor, stiletto, switchblade knife, or knife having a blade exceeding five inches in length.

Definition

For the purpose of this policy, violence is defined as:

1. The use of physical force with the intent to cause harm.
2. Acts or threats in any form or manner which are intended to intimidate or cause fear of harm, or could be construed by a reasonable person as doing so.
3. Sabotage - The intentional damage of City-owned or personal property, or acts intended to cause such property to fail to operate, or to operate improperly; or, the movement or concealment of such property with the intent of interfering with the ability of the owner or authorized user to locate it.

Not included are any actions taken in the legitimate exercise of responsibility or authority by a City employee.

Guidelines for Violent Incident Response

In an emergency situation involving actual or potential violence, the first priority is to protect the safety and well-being of persons involved. Because each situation involves unique factors, the following guidelines are intended to provide general guidance. The key elements are safety, reporting, coordination, and control.

1. Immediate Emergency Situations - Call 911

The first step in any emergency is to immediately call 911 and report as many details as possible so that appropriate emergency response units can be dispatched. This will ensure that trained personnel are available to assist. Although not every situation may require such assistance, it is always best to call 911 if there is any question or doubt.

2. An employee who is involved in or who witnesses a critical incident shall immediately contact the supervisor, division or department head, or Human Resources Director. It is more important to notify a management representative immediately than to follow a specific chain of command.
3. The department director or other department management representative shall immediately contact the Human Resources Director, who shall provide guidance in matters such as investigation, discipline, benefits and the Employee Assistance Program.

Employee Assistance Program

The Employee Assistance Program has the capability of providing post-incident counseling for employees and their families. Organizations that have experienced critical incidents have found that such incidents in the workplace affect not only those directly involved, but produce psychological trauma to others in the organization as well.

Guidelines for Managing Workplace Altercations

These guidelines are intended to aid supervisors in dealing with violent or potentially violent situations at work where the supervisor is in a position to intervene and control the situation.

In circumstances deemed by the supervisor to be an emergency, call 911 then contact the departmental director and Human Resources Director. It is understood that the actions of a supervisor or other employee will depend on the seriousness and nature of the incident. However, consistent with personal safety, supervisors have a responsibility to make a good faith effort to defuse violent or potentially violent situations as quickly as possible in order to prevent their escalation and creating a threat to others. The term "altercation" as used in these guidelines includes actual or threatened violence including verbal or physical confrontation or assault, or attempts at such assault.

In general:

1. Separate the parties involved. Do not allow a minor altercation to escalate into something more serious. If the individuals cannot be separated, call 911 and follow the steps previously described.
2. Contact the department director and Human Resources Director.
3. Once the situation is controlled, separately interview all persons involved, including any witnesses, in order to obtain an accurate account of the incident. Document in written form the statements of witnesses and others who were interviewed. Because of possible disciplinary actions, those employees involved in an altercation, if they are covered by a bargaining unit, have the right to the presence of a union representative. If an employee requests that a union representative be present, the interview should be postponed until a union representative can be available. In general, the City's obligation to permit union representation does not require that an interview be delayed until a professional union staff member can be available; an employee designated as a union steward will suffice. In the investigatory process the union representative may advise the employee and witness the proceeding, but may not speak in the employee's behalf.

Discipline

Most workplace altercations, including minor ones involving only verbal exchanges, justify appropriate corrective action. The Human Resources Director should be contacted for guidance.

20.14 Hostile Work Environment.

Positive working relationships are essential to the teamwork that is necessary to ensure effective delivery of City services and the well-being of all employees. Employees are expected to conduct themselves in a professional, civil, and courteous manner whether interacting with the public or with fellow employees. Behaviors which tend to create a hostile work environment are prohibited. These include, but are not limited to, rudeness or discourtesy, malicious gossip, false allegations or providing false information about an employee, refusal to communicate including deliberate failure to share necessary job-related information, and avoidance or "shunning".

The primary focus of this policy is on patterns of behavior. Isolated or occasional incidents of conflict between employees will not ordinarily be subject to sanction. This policy shall not be used to undermine supervisory authority. Good-faith exercise of supervisory authority including directives, evaluation, counseling, or imposition of discipline is expressly excluded from this policy.

Violation of this policy, including refusal to cooperate in corrective efforts by management such as investigation, mediation or counseling, may result in disciplinary action.

20.15 Policy on Drug Free Workplace

The City of Ames, as a recipient of federal grants, is required to comply with the Drug-Free Workplace Act of 1988. The following formal policy, which is required by the new law, is consistent with the City's general policy of not tolerating illegal activities on City time or premises.

1. Employees are expected and required to report to work on time and in appropriate mental and physical condition for work. It is our intent and obligation to provide a drug-free, healthful, safe and secure work environment.
2. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance on City premises or while on duty off City premises is absolutely prohibited. Violations of this policy will result in disciplinary action, up to and including termination, and may have legal consequences.
3. The City recognizes drug dependency as an illness and a major health problem. The City also recognizes drug abuse as a potential health, safety, and security problem. Employees needing help in dealing with such problems are encouraged to use our Employee Assistance Program and health insurance plans, as appropriate.
4. Employees must, as a condition of employment, abide by the terms of the above policy and report any conviction under a criminal drug statute for violations occurring on City premises or while on duty off City premises. A report of a conviction must be made within five days after the conviction to the Human Resources Director.

20.16 Drug and Alcohol Testing Policy

The City's Drug and Alcohol Testing Policy adopted in accordance with the Omnibus Transportation Employee Testing Act of 1991 and the regulations issued by the U.S. Department of Transportation which requires drug and alcohol testing of employees who are required to perform safety-sensitive functions in connection with the operation of a commercial vehicle, and who must possess a Commercial Driver's License in order to do so, is hereby incorporated into these Personnel Policies and Procedures.

20.17 Fleet Policy

Purpose

This document shall provide a written policy to be used for the consistent and uniform administration of record keeping, taxation, and public purpose requirements and on assignment and use of the city's fleet. The policy applies to all units in the fleet - owned, leased, loaned, or rented - and to all permanent, part time, or temporary employees of the City. This policy will override any inconsistencies that may exist in other departmental policies or job specifications.

Contents

This policy will cover the following topics:

1. Public purpose served
2. Vehicle assignments
3. Documentation required
4. Commuting
5. Restricted vehicle or equipment use
6. Personal use by employees

1. Public Purpose Served

The City's fleet is public property, provided to help serve, maintain, protect, and improve the community and citizens of Ames. Funds used to obtain and maintain the fleet come mainly from all the tax or fee-based funds and enterprises, authorized by the City Council.

City staff, City facilities, the fleet, and all City resources are solely dedicated to serving the public. Neither the fleet, nor any other City asset, shall be used for anything other than service to the public.

2. Vehicle Assignments

All units in the fleet are provided for specific duties and assignments and to provide specific public services in all areas of the City. Any unit in the fleet shall be made available by the assigned operating department/division to any other department/division during emergency and non-emergency times of need, and/or for the general good of the whole organization and community. Sharing of any unit shall not diminish the ability of any division to perform its duties and services.

The City Manager or other designee shall approve the assignment of specific vehicles/equipment to specific positions, usually not to specific employees. These assignments will be based on transportation needs agreed to between the City Manager or designee and the Department Head for each division.

At this time there is no minimum criteria established for these assignments. Department Heads are responsible for determining the need for all fleet vehicles and equipment and recommending specific assignments to positions.

3. Documentation Required

Employees required to, or allowed to drive or operate vehicles and equipment in the City's fleet shall maintain a valid Iowa operators permit/license required for the specific type/class of unit they operate.

Employees shall accurately report to Fleet Services the type and amount of use of any/all unit(s) in the fleet that they operate; any/all service or repair they may have had done to

any units without the knowledge of Fleet Services; fuel purchases, oil changes, washes, etc. Fleet Services will use all this information to monitor and report fleet use, capture fleet expenses, and project future costs for budget purposes.

Fleet Services will maintain a list of the City's fleet by department and division; and use all the operating and maintenance data and history to manage the city's fleet.

The City Manager or designee will authorize these assignments and Fleet Services will maintain the official master list of record.

Employees required or allowed to operate or drive City vehicles and equipment shall provide proof that they hold a valid and appropriate permit/license to perform their duties. Employees shall inform their supervisor immediately if their driving/operating permits are revoked. Employees with legally revoked operating or driving permits shall not operate or drive a fleet unit until his/her privilege is restored, and proof is provided to the City.

4. Commuting

City vehicles are not to be used for commuting to or from home "before or after hours", for lunch, or for personal business, by City employees. "De minimis" personal use is allowed as outlined in Section 6 of this policy.

Exceptions may be requested by Department Heads, and approved by the City Manager, when it is deemed to be in the best interest of the City for specific employees to take a unit home to provide quicker/better response times to after hours service calls, or emergency incidences.

These vehicles shall be limited to "qualified nonpersonal-use vehicles" as defined by the IRS. These vehicles include:

- a. Clearly marked police and fire vehicles.
- b. Unmarked vehicles used by law enforcement officers if the use is officially authorized.
- c. Any vehicle designed to carry cargo with a loaded gross vehicle weight over 14,000 pounds.
- d. Vehicles such as the Electric bucket trucks, street sweepers, snowplows and etc.

Commuting does not include authorized out of town travel for City business.

Department heads shall provide annually, to the City Manager, a current list of the employees, where they will commute to, the vehicle(s)/equipment involved, and the dates affected, that are recommended for commuting. The City Manager shall approve/deny each request in writing. Department Heads shall keep this authorized list current with the City Manager.

These vehicles/equipment are to be parked and secured at the employee's residence during off-duty hours and used only for official city business or service. Each unit shall be returned to its assigned location for the next scheduled work period.

5. Restricted Vehicle/Equipment Use

The City's fleet is provided exclusively for the sole purpose of serving and maintaining the community of Ames and shall be used only in performing the municipal services and programs authorized by the City Council. No unit in the fleet shall be used for personal use or gain, any use for profit, or for illegal purposes.

6. Incidental Personal Use

Incidental or "de minimis" personal use is allowed in a very limited manner that conforms to IRS regulations. De minimis use when on City business is allowed for travel to meals and meetings when no other means of transportation is available.

Any other type of personal use is prohibited and subject to disciplinary actions. In addition, any prohibited personal use of vehicles will be charged to the employee using the appropriate IRS valuation method and either reimbursed by the employee or added to his/her reported wages in accordance with IRS regulations.

20.18 Breaks for Nursing Mothers

The City of Ames will provide break times as needed for an employee to express breast milk for up to 12 months from childbirth and designate a private place at each building location. The employee and her immediate supervisor will agree on the times for these breaks. Any questions regarding this policy or locations of designated break rooms should be directed to the Human Resources Department.

Chapter 21

Review of Personnel Policies and Procedures

21.1 Updating of Policies and Procedures

As modifications are made to existing chapters, or as new chapters are added to these Policies and Procedures, an “everyone” email will be sent notifying all employees that there have been updates made along with a link to the electronic version of the document on the MyHR intranet page located at <http://mycity/myhr/>. The table of contents will include notations next to each section that has been updated or revised showing the date of the change.

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