

RESOLUTION NO. 2023-R- 14

RESOLUTION ADOPTING THE 2023 EDITION OF THE SEASONAL EMPLOYEE HANDBOOK FOR THE CITY OF SPRING HILL, KANSAS; RESCINDING ALL PRIOR EDITIONS OF THE SEASONAL EMPLOYEE HANDBOOK FOR THE CITY OF SPRING HILL, KANSAS AND RESOLUTIONS ADOPTING ANY SUCH EDITIONS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SPRING HILL, KANSAS:

SECTION ONE: INCORPORATING THE 2023 EDITION OF THE SEASONAL EMPLOYEE HANDBOOK. The “2023 Edition of the Seasonal Employee Handbook for the City of Spring Hill, Kansas,” is incorporated by reference herein and attached hereto as Exhibit A. The 2023 Edition of the Seasonal Employee Handbook for the City of Spring Hill, Kansas, shall constitute the Uniform Personnel Rules and Regulations for the City of Spring Hill, Kansas applicable only to seasonal employees, pursuant to Spring Hill Municipal Code (SHMC) Article 6. Section 1-601. One or more copies of said Employee Handbook shall be marked or stamped “Official Copy as Incorporated by Resolution No. 2023-R- 14 of the Seasonal Employee Handbook for the City of Spring Hill, Kansas” and shall be filed with the City Clerk to be open for inspection and available to the public at all reasonable hours. All City employees and officers – in an employment relationship with the City – shall be supplied with a copy of said Employee Handbook which shall be similarly marked.

SECTION TWO: RESCISSION. All other prior resolutions and prior editions of the Seasonal Employee Handbook for the City in conflict herewith are hereby rescinded.


SECTION THREE: EFFECTIVE DATE. This resolution shall take effect and be in force from and after its adoption by the Governing Body.

ADOPTED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR THIS 27th day of April 2023.




Joe Berkey, Mayor

ATTEST:



Glenda Gerrity, City Clerk
Ashley Wood, Deputy City Clerk
APPROVED AS TO FORM:



Spencer A. Low, City Attorney



**SEASONAL EMPLOYEE
HANDBOOK FOR THE
CITY OF SPRING HILL, KANSAS
2023 Edition**

**OFFICIAL COPY AS INCORPORATED BY RESOLUTION NO.
2023-R-16 OF THE SEASONAL EMPLOYEE HANDBOOK FOR THE
CITY OF SPRING HILL, KANSAS**

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Section I: Introduction, Purpose and General Provisions

1-A: Purpose of Employee Handbook

This Employee Handbook, adopted by the Governing Body of the City of Spring Hill, Kansas, provides a summary of the employment and human resources policies, procedures, and practices of the City and should be used as an outline of the basic human resources policies, practices, and procedures of the City. The Employee Handbook is not intended to alter the employment-at-will relationship in any way. This Handbook contains statements of City policy and may not include all the details of each policy. In addition, this Handbook should not be interpreted as forming an express or implied contract that the policies discussed in the Handbook will be applied in all cases. The City may add to the policies in the Employee Handbook or revoke or modify them at any time.

The City's employment policies, practices, and procedures will apply equally to all employees and officers, unless exempted by law, contract, or the specific terms of a policy or policies. Where federal or state law or city ordinance conflict with the policies contained in the Employee Handbook, employees and officers must observe the requirements of federal or state law or municipal ordinance.

1-B: Employment-At-Will

It is the policy of the City that all employees and officers who do not have a written employment contract with the City for a specific fixed term of employment are employed at the will of the City and are subject to termination of employment at any time, for any reason, with or without cause or notice. At the same time, employees and officers may terminate their employment with the City at any time and for any reason.

No City employee or officer, elected official, or representative is authorized to modify this policy for any employee or officer, or enter into any contract, agreement, whether oral or written, that amends the employment-at-will relationship.

1-C: Coverage of Employee Handbook

The Employee Handbook shall apply, to the fullest extent possible, to all officers and employees, appointed officials, and employees who have written employment agreements, to the extent permitted by law and consistent with the provisions of the Employee Handbook, with the exception of elected officials.

1-D: Positive Employer-Employee Relations

The City seeks self-disciplined employees who are committed to public service and the City's best interests. The City seeks to establish a mutually rewarding direct relationship with its officers and employees without the intervention of outside groups. The City is committed to providing employees with a civil and team-oriented work environment that encourages respect and outstanding performance. Thus, the City attempts to provide:

1. Equal employment opportunity and treatment regardless of race, color, sex or gender, gender identity or expression including transgender status, citizenship, religion or creed, age, disability, pregnancy, marital status, sexual orientation, genetic information, ancestry or national origin, military status or service in the military;
2. Appropriate training and available resources to officers and employees to best serve the public's interest;
3. Market and performance-based compensation;
4. Competitive and flexible employee benefits and leave;
5. A safe and productive work environment free from harassment or uncivil treatment;
6. Reasonable hours of work based upon the City's business and service needs;
7. Appropriate training and professional development opportunities;
8. Compliance with applicable regulations concerning employees' safety;
9. Indemnification and defense of employees acting within the scope of their employment and in compliance with City policies as required by state law;
10. Opportunities to provide constructive suggestions about job duties, working conditions and the provision of public services; and,
11. Opportunities for employees to discuss concerns with their Supervisor, Department Head, or the Human Resources Director.

The City expects all employees to:

1. Communicate with members of the public and co-workers in a civil and professional manner;
2. Represent the City in an ethical manner;
3. Perform their duties in an efficient and effective manner;
4. Report to work as scheduled and on time;
5. Conduct themselves in a considerate, friendly and productive manner; and
6. Comply with the City's policies.

The City retains the sole discretion to exercise all managerial functions, including the right to:

1. Assign, supervise, discipline, and discharge employees;
2. Establish work periods and shifts;
3. Transfer and assign employees as needed;
4. Establish and modify the size and qualifications of the workforce;
5. Maintain a direct relationship with employees;
6. Establish and modify the duties and qualifications of positions;
7. Determine and amend the methods in which City operations are conducted.

I-E: Equal Employment Opportunity and Prohibiting Discrimination and Harassment

1. It is the policy of the City to provide equal opportunity in employment to all employees and applicants for employment. No person will be discriminated against in any aspect of employment because of race, color, sex or gender, gender identity or expression including transgender status, citizenship, religion or creed, age, disability, pregnancy, marital status, sexual orientation, genetic information, ancestry or national origin, military status or

membership or service in the military, or any other characteristic protected by applicable federal or state law. The City is committed to providing a zero-tolerance work environment that prohibits unlawful discrimination practices, including harassment, and promotes equal employment opportunities. The City prohibits and will not tolerate unlawful discrimination by officers or employees against any officer, employee, or applicant for employment.

2. This policy prohibiting discrimination in employment applies to all terms, conditions, and privileges of employment and all city policies, including, but not limited to: recruitment, hiring, placement, promotion, transfer, compensation, benefits, and termination. Provisions in applicable laws providing for bona fide occupational qualification, business necessity or age limitations will be adhered to by the City where appropriate.
3. As part of the City's equal opportunity in employment policy, the City will also take affirmative action as called for by applicable laws and Executive Orders to ensure that minority group individuals, females, protected veterans, and qualified disabled persons are introduced into our workforce and considered for promotional opportunities.
4. Employees and applicants shall not be subjected to harassment, intimidation, or any type of retaliation because they have (1) filed a complaint; (2) assisted or participated in an investigation, compliance review, hearing or any other activity related to the administration of any federal, state or local law requiring equal employment opportunity; (3) opposed any act or practice made unlawful by any federal, state or local law requiring equal opportunity; or (4) exercised any other legal right protected by federal, state, or local law requiring equal opportunity.
5. It is the policy of the City to prohibit harassment in the workplace and not to tolerate verbal or physical conduct by any officer or employee that harasses, disrupts, or interferes with another's work performance or that creates an intimidating, offensive, or hostile environment. The City prohibits all forms of harassment, especially based upon race, color, sex or gender, gender identity or expression including transgender status, citizenship, religion or creed, age, disability, pregnancy, marital status, sexual orientation, genetic information, ancestry or national origin, military status or membership or service in the military.
6. Civility
 - a. All officers and employees shall behave with civility, fairness, and respect in dealing with fellow employees, citizens, visitors, and anyone else having business with the City. Uncivil behaviors are prohibited. Employees and officers shall treat all persons with whom they interact with professionalism, courtesy, dignity, and respect.
7. The City will take direct and immediate action to prevent, correct, and address all reported instances of discrimination, harassment and uncivil behavior. It is everyone's responsibility to keep the workplace free of such behaviors. Discrimination, harassment, uncivil behavior or other violations of this policy will result in disciplinary action up to and including termination of employment.

8. Retaliation against a person who reports a claim is prohibited and will result in disciplinary action up to and including termination of employment for employees and officers, and sanction, removal from appointment, public censure, or other appropriate consequence for appointed or elected officials.
9. Reporting allegations in the workplace:
 - a. Officers, employees, and applicants are encouraged to report any concerns with regard to being subjected to discrimination, harassment, retaliation, or uncivil behavior in the workplace. Officers, employees, and applicants who witness or become aware of others being subjected to discrimination, harassment or uncivil behavior in the workplace must report those concerns.
 - 1) Any officer, employee or applicant who becomes aware of situations involving unwelcome or inappropriate behavior directed toward him or her or against another employee of the City, should immediately report the matter to Human Resources.
 - 2) While employees are encouraged to report such allegations directly to Human Resources, employees may also report such allegations to a Supervisor, Manager, or Department Head without regard to the chain of command.
 - 3) Any Supervisor, Manager, or Department Head who receives a complaint or allegation of discrimination or harassment must immediately report the complaint or allegation to Human Resources.
 - b. Any complaint directed against or with regard to conduct of the City Administrator or a City Council member shall be promptly reported to the Mayor (or the President of the Council if the Mayor is the subject of the complaint) and the City Attorney.
 - c. Any complaint directed against or with regard to the conduct of the City Attorney shall be promptly reported to the Mayor and the City Administrator.
 - d. Any complaint or allegation directed against the Human Resources Director shall be promptly reported to the City Administrator.
10. Investigating allegations:
 - a. Upon receipt of any complaint or allegation, the City will immediately initiate an investigation of the matter.
 - 1) All employees, officers, appointed, and elected officials will fully cooperate with the investigation without fear of retaliation or reprisal; provided that, an employee who alleges that he or she was subjected to discrimination, harassment, or retaliation in the matter under investigation is not obligated to cooperate, but the City may be unable to fully investigate his or her allegation(s).

- 2) Employees, other than those allegedly subjected to discrimination, harassment, or retaliation in the specific matter under investigation, who refuse to fully cooperate with the investigation and answer questions from or comply with direction from the investigator may be subject to disciplinary action, up to and including discharge.
 - b. The Human Resources Director will ordinarily conduct an investigation; however, the Human Resources Director in consultation with the City Attorney may assign the investigation of the matter to the City Attorney, outside counsel, or a third-party, when appropriate.
 - c. If the complaint is directed against the Human Resources Director, the City Administrator, the City Attorney, or a member of the Governing Body, the city shall employ outside counsel or a third-party outside city employment to conduct the investigation.
11. The City will make reasonable accommodations for the impairments of qualified employees and applicants for employment with disabilities, consistent with the qualifications required for the essential functions of the position, unless the accommodation would cause undue hardship on the operation of the City's business. The City will make reasonable accommodations for individuals' bona fide religious beliefs and practices to the extent required by federal or state law, unless such accommodation would result in undue hardship.
- a. Disabilities
 - 1) When an employee or applicant requests accommodation, the individual must let the City know that he or she needs an adjustment or change for a reason related to a physical or mental condition or limitation.
 - 2) When an employee or applicant appears to have an obvious need for an accommodation but has not made a request for one, a Supervisor or Department Head shall contact the Human Resources Director who will initiate an informal, interactive process with the employee or applicant.
 - 3) When the disability and/or the need for accommodation is not obvious or the individual has not previously provided the City with sufficient information to determine that he or she possesses a disability under the ADA, the City may ask the individual for reasonable documentation to establish that he or she has a qualifying disability requiring a reasonable accommodation. The City may require the documentation and the functional limitations come from health care professional.
 - 4) The City may choose among reasonable accommodations as long as the chosen accommodation is effective. While the individual's preference will be given consideration, the City may choose between effective accommodations.

- 5) The City may not require a qualified individual with a disability to accept an accommodation. If, however, an employee needs a reasonable accommodation to perform an essential function or to eliminate an impediment, and refuses to accept an effective accommodation, he or she may not be qualified to remain in the job.

b. Religious Beliefs and Practices

- 1) An individual may request a reasonable accommodation for his or her religious beliefs or practices. "Religion," includes religious observance and practice, as well as moral or ethical beliefs held with the commitment ordinarily associated with traditional religious views. When an employee or applicant requests accommodation of a religious belief or practice, the individual must describe the nature of the religious belief or practice and the employment rule or requirement with which it conflicts.
- 2) Any Supervisor or Department Head receiving a request shall document and forward the request and any relevant information to the Human Resources Director as soon as practical.
- 3) The Human Resources Director may ask the individual relevant questions make an informed decision about the request, including what sort of accommodation is sought.
- 4) The City does not have to agree to a specific accommodation preferred by the employee or applicant and does not have to provide an accommodation if doing so would impose an undue hardship.

I-F: Violence in the Workplace

The City will not tolerate, condone, or permit, threatening or disruptive behavior by officers or employees, volunteers, those who conduct business with the City, or members of the public. The City will take reasonable measures to provide a workplace free from acts or threats of violence.

Violence directed against others is strictly prohibited. The City will take direct and immediate action to prevent such behavior, and to remedy all reported instances.

Violations by employees will result in disciplinary action up to and including termination of employment. All officers and employees have a responsibility to keep the workplace free of violence or other disruptive behavior.

Any employee who witnesses an act of workplace violence or who believes in good faith that he or she has been subjected to such violence or prohibited behavior is required to immediately report the matter. Any Supervisor or Department Head, upon receiving a complaint, allegation, or notice

of conduct prohibited or potential violence in the workplace shall take immediate action to address any imminent threat and notify the Human Resources Director.

I-G: Ethics and Business Conduct

The City is committed to providing public services and conducting business consistent with the highest standards of ethics and business conduct. All Department Heads, officers, and employees are expected to perform their duties at the highest level of ethical conduct and business and professional standards founded upon personal integrity and fair dealing. Officers, Department Heads, and employees must comply with the City's Code of Ethics and with all applicable state and federal laws and regulations. All City employees are expected to conduct themselves in a manner that will not reflect adversely upon themselves or the City. The City expects employees to behave in a manner that will engender the continued trust and confidence of the public. The City's Code of Ethics will be distributed to all City employees and all newly hired employees at the initiation of their employment.

I-H: Employee Safety

The City complies with all applicable federal, state, and local health and safety regulations and is committed to providing a safe work environment as free as reasonably possible from recognized hazards. Employees are expected to comply with all applicable City, state, and federal workplace safety requirements. Employees must report any safety and health violations, potentially unsafe conditions, or accidents to the Safety Officer, their Supervisor, or Department Head. Employees may not suffer retaliation for reporting good faith health and safety concerns. Employees are encouraged to submit suggestions regarding workplace safety to the Safety Officer, their Supervisor, or Department Head. Department Heads and Supervisors are responsible for ensuring that employees understand and comply with all City and departmental safety rules, regulations, and procedures in the course of their normal daily responsibilities. Violations of safety rules may result in disciplinary action, up to and including termination from employment.

Safety Officer

The City has appointed the Human Resources Director as the City's Safety Officer, in absence of an assigned Department Head or their designee, to oversee compliance with the City's or Departmental safety procedures.

I-I: Nepotism and Personal Relationships

No person, excluding seasonal employees performing services at or for the Spring Hill Aquatic Center, shall be employed in any department where a member of their immediate family is employed or in a department supervised by a member of his/her immediate family. If two employees within the same department marry during the period of their employment, at the discretion of the City one of the employees shall be transferred to another department without loss of pay. If transfer is not an appropriate option, the City shall resolve the nepotism issue in any other manner the City deems appropriate.

For the purposes of this policy, the term "immediate family member" shall include an employee's:

1. Spouse and spouse's parents;
2. Children and their spouses;
3. Parents and parents' spouses;
4. Siblings and their spouses; and
5. Grandparents and grandchildren and their respective spouses.

Section II: Administration

II-A: Administration of Employee Handbook and Personnel Policies

The Employee Handbook contains a summary of the City's employment and personnel policies, procedures and practices and should be used as a guideline and policy statement of the human resources policies of the City. The Employee Handbook and the policies set forth in the Handbook have been adopted by the Governing Body. While the City may add to the policies in the Employee Handbook or revoke or modify them at any time, amendment of the Employee Handbook ordinarily shall be made by the Governing Body's adoption of a resolution or ordinance. The Employee Handbook does not and is not intended to alter the employment-at-will relationship in any way.

This Handbook contains statements of City policy and may not include all the details of each policy. The personnel policies of the City apply to all City employees other than elected officials, including Department Heads and officers who possess an employment relationship with the City; provided that seasonal employees performing services at or for the Spring Hill Aquatic Center shall be subject to the provisions of the Spring Hill Aquatic Center Rules and Regulations and the Spring Hill Aquatic Center Standard Operating Procedures which shall be administered by the City employees and officials identified therein and in compliance with the same. The policies set forth in the Employee Handbook shall fully apply, unless a statute, contractual obligation, or ordinance or resolution adopted by the Governing Body contains specific language clearly and directly inconsistent with the Employee Handbook which cannot be reasonably interpreted to reconcile such inconsistency. In such circumstances, the specific language in the applicable statute, contractual obligation, ordinance or resolution will apply, but only to the narrowest extent possible in order to reconcile the inconsistency and to give the broadest possible application to the policies set forth in the Employee Handbook.

The City's personnel policies, including but not limited to those set forth in the Employee Handbook, shall be administered by the City Administrator and the Human Resources Director and, as designated, by the City's Department Heads under the supervision of the City Administrator and in consultation with the Human Resources Director and City Attorney, when appropriate.

II-B: Authority and Responsibility of City Officers/Department Heads

Department Heads, appointed by the Mayor with the consent of the City Council, are responsible for the efficient and effective management, administration, and supervision of specific City departments and functions under the supervision and direction of the City Administrator.

Department Heads may delegate specific authority to Supervisors or employees, but such delegation shall not relieve a department head from his or her duty and responsibility to ensure the proper management and administration of the department.

Department Heads shall supervise, evaluate, and manage the employees in their respective departments. Consistent with the City's Municipal Code, Employee Handbook, and personnel policies and procedures, Department Heads shall: issue performance improvement, corrective or disciplinary action, including counseling, verbal and written reprimands to employees under their management or supervision, as warranted, following consultation with the Human Resources Director; make hiring and promotional recommendations and recommend the issuance of serious corrective or disciplinary action, including suspensions, demotions, or terminations of employment to the City Administrator, when appropriate, following consultation with the Human Resources Director; may transfer employees within the department and/or reassign duties or responsibilities as business needs dictate; develop, implement and amend operational policies, procedures, and guidelines; ensure compliance with applicable safety and security standards; recommend department-specific administrative personnel guidance, practices, rules and regulations to the City Administrator and Human Resources Director.

Adoption of Departmental Procedures and Department-Specific Rules and Regulations

Department Heads may adopt departmental operational procedures, practices, rules and regulations that do not affect, broaden, or limit the policies set forth in the Employee Handbook or the City's other personnel policies, administrative procedures, or human resources practices, which are advisable or consistent with best practices, industry standards, or business needs. Department Heads shall recommend supplemental policies, procedures and practices providing additional guidance or rules in compliance with and in furtherance of the personnel policies adopted by the Employee Handbook to the Human Resources Director for review and to the City Administrator or designee for written approval. Alternatively, in light of unique business or operational needs, Department Heads may recommend that the City Administrator request the Governing Body adopt a department-specific personnel policy or Employee Handbook amendment specifically applicable to a single department. Under no circumstances, however, shall a Department Head adopt a policy that conflicts with the City's Employee Handbook or shall the City Administrator adopt a supplemental or additional administrative policy that is inconsistent with the Employee Handbook. Department-specific standards may be used in evaluating employee performance and as a basis for disciplinary action.

Section III: Employment

III-A: Employment Categories

Employee" means all other persons, other than officers as described above, engaged to perform services for the City in an employment relationship.

- 1) The City Administrator shall have the authority to hire, issue discipline, up to and including termination of employment, and participate in the management of

employees under the City's departmental structure and consistent with the provisions of the Employee Handbook.

- 2) Department Heads may issue employees under their management and supervision corrective or disciplinary action including coaching, verbal counseling or verbal reprimand, or a written reprimand consistent with the provisions of the Employee Handbook.
- 3) In ordinary circumstances, Department Heads shall recommend serious disciplinary action, including suspension, demotion, or termination of employment to the City Administrator for action; however, the City Administrator, upon the recommendation of the Human Resources Director, City Attorney, or special counsel, may take disciplinary action regarding violations of the City's Equal Employment Opportunity and Prohibiting Discrimination and Harassment, Violence in the Workplace, Ethics and Business Conduct, and Weapons in the Workplace policies, or upon his or her own determination when circumstances dictate.

1. Full-Time or Part-Time Positions

- a. "Full-Time" means that a regular position is regularly scheduled to work at least 30 hours each workweek, or who regularly works 30 hours each workweek for the purpose of receipt of healthcare coverage and related healthcare benefits. For the purposes of all other leave and benefits, "Full-Time" means an employee regularly scheduled to or who regularly works 40 hours per week.
- b. "Part-Time" means a regular position which is regularly scheduled to work less than 30 hours each workweek, for the purpose of receipt of healthcare coverage and related healthcare benefits. For the purposes of all other leave and benefits, "Part-Time" means an employee regularly scheduled to or who regularly works less than 40 hours per week.

2. Regular, Temporary, and Seasonal Employment

- a. "Regular" means that an employee is employed for an indefinite period.
- b. "Temporary" means that an employee is employed in a non-recurring (non-seasonal) position that is not expected to last more than a few months.
- c. "Seasonal" means that an employee is employed in a recurring (seasonal) position for which the duration of the position is generally pre-determined.

3. Non-Exempt or Exempt

- a. "Non-exempt employees" refers to those employees who are subject to the minimum wage and overtime provisions of the Fair Labor Standards Act.

- b. “Exempt employees” refers to those employees who are not subject to the minimum wage and overtime provisions of the Fair Labor Standards Act. Exempt employees are not eligible for overtime compensation.

4. Salaried, Hourly, or Fee Basis

- a. “Salaried” means that the employee is paid a fixed amount of compensation each pay period, subject to lawful reductions.
- b. “Hourly” means that the employee is paid a fixed hourly rate for actual hours worked.
- c. “Fee Basis” means that the employee is paid a fixed fee or percentage calculated in any legally permissible manner.

5. Benefit Eligibility

- a. Regular, full-time employees who consistently work or are scheduled to work 40 hours a week are eligible for leave and benefits. Regular employees who consistently work or are scheduled to work 30 hours a week are eligible for healthcare coverage and related benefits.
- b. Regular, part-time employees consistently scheduled to work twenty-eight hours a week are eligible to receive some leave benefits as described in the Employee Handbook. Part-time employees may also be eligible for leave under the Family Medical Leave Act.
- c. Regular, part-time employees regularly scheduled to work less than twenty-eight hours a week are not entitled to benefits or leave unless specified in the Employee Handbook.
- d. Temporary and seasonal employees are not entitled to benefits, leave, and may not access the City’s Grievance policy.

III-B: Recruitment, Selection and Placement

It is the policy of the City as an equal opportunity employer to hire, promote, and transfer individuals on the basis of their relative skills and qualifications, ability to perform the duties of the position to be filled, and the City’s business needs. The City will recruit, employ, and promote the most qualified workforce without regard to race, color, sex or gender, gender identity or expression including transgender status, citizenship, religion or creed, age, disability, pregnancy, marital status, sexual orientation, genetic information, ancestry or national origin, military status or membership or service in the military, or any other characteristic protected by applicable federal or state law. The City will also take affirmative action as called for by applicable laws and Executive Orders to ensure that minority group individuals, females, disabled veterans, recently separated veterans, other protected veterans, Armed Forces service medal veterans, and qualified

disabled persons are introduced into our workforce and considered for promotional opportunities. Applicants for employment and employees seeking promotion must meet the minimum qualifications of the position they seek.

The City, where appropriate, will conduct credit, background, medical examination, driving record, and criminal history or criminal conviction checks or any other applicable check, on a post-offer basis, where applicable. Applicants will be informed of the process and must execute appropriate authorizations.

While position openings will ordinarily be posted for application, the City may reorganize, reassign duties to employees, transfer, or promote employees as it sees fit and in the best interests of the City, with or without posting. Employees may be promoted to higher level positions of a similar nature or within a programmatic series without posting of the position. The City may elect to post positions for internal application only or for a limited period unless external recruitment is considered to be in the City's best interest.

Employee eligibility for promotion will be determined by the requirements of the position. Absent written authorization by the City Administrator or appointment by the Mayor with the consent of the City Council to a position as a Department Head or Officer, employees must have successfully completed their initial Evaluation Period to be promoted.

The City may transfer employees at its discretion on either a temporary or long-term basis to another position in order to accommodate the City's business needs or when it is in the best interest of the City or the employee(s). Department Heads and the City Administrator shall consult the Human Resources Director, or City Attorney when appropriate, prior to selecting employees for transfer or promotion without posting. The employee must meet the minimum qualifications prior to a transfer. Employees who have completed their Evaluation Period may also request a voluntary transfer.

If a background investigation, reference check, medical, or any other subsequent investigation discloses any misrepresentation or material omission on the application form, in the course of an interview, at any stage in the selection process, or information indicating that the individual is not suited for employment with the City, the applicant will be refused employment or, if discovered after employment, may be terminated from employment.

Application and Recruitment

The Human Resources Director shall develop a standardized application for employment with the City which shall be approved by the City Administrator and in consultation with the City Attorney when appropriate. A release for conducting any applicable pre-employment testing and authorization for conducting reference checks may be on the application or given separately. The Human Resources Director, in consultation with the appropriate Department Head, and upon the review and approval of the City Administrator, may develop additional application requirements and require additional supporting documentation for specific positions consistent with applicable legal requirements and business necessity.

If a position needs to be posted, it will be posted on the City's website, advertised on job boards or publications of general distribution so information is readily available to under-presented populations as well as the general public, may also be advertised in industry-specific publications, job boards, or other sources. The City will only consider applicants for the position who submit completed applications on or before the posted closing date.

Testing, Interviewing and Other Evaluation Methods

The City may require pre-employment or post-offer testing as a part of the employment process. The Human Resources Director must approve the use of all pre-employment screening tools, tests or questionnaires. Applicants may be evaluated through the use of any job-related, non-discriminatory and lawful testing and/or selection method which has been reviewed and approved by the Human Resources Director for that job. Any and all testing or evaluations involving disability-related inquiries shall be job-related, a business necessity, and conducted solely on a post-offer basis. Applicants who fail to complete any pre-employment testing in a timely manner will be eliminated from consideration or may have their job offer rescinded.

Selection & Offer of Employment

The hiring authority will select the applicant to fill the job opening in consultation with the Human Resources Director. The hiring authority and Human Resources Director will determine a salary or wage rate offer. The Human Resources Director will gain final approval from the City Administrator.

Verification of Identity and Eligibility to Work

All employees must be eligible to work in the United States. The Human Resources Director or his or her designee will verify such eligibility by having each employee complete an I-9 Form after reporting to work. An employee who does not complete the I-9 Form and provide required documentation within three business days of starting his or her job will be placed on unpaid temporary leave for a reasonable period of time to obtain the necessary documentation or may be terminated from employment.

III-C: Evaluation Period

An employee hired into a full-time regular or part-time regular job must complete an initial Evaluation Period, six (6) months from date employment begins, but extends an additional six (6) months after completion of Field Training for Police Officers, to monitor and evaluate his or her performance and job fit. The Evaluation Period is not applicable for seasonal employees.

New hires who separate or are terminated from employment prior to completion of their Evaluation Period are not eligible for severance pay, including vacation payment, or to participate in the City's Grievance Procedure. Employees in their Evaluation Period are not eligible for Shared Leave or Educational Reimbursement. Eligibility and full participation in the City's other benefit programs and offerings are subject to the terms of such benefits consistent with the requirements and conditions established by the respective insurers or third-party providers.

Department Heads or the employee's Supervisor may recommend the termination of an individual's employment at any time. Employment with the City at all times, including for seasonal employees, remains "at-will" and the employment relationship may be terminated at any time for any lawful reason by either the City or the employee.

III-D: Attendance and Punctuality

The City expects all employees to maintain regular and reliable attendance. Employees are required to report for work punctually and to work all scheduled hours and any required overtime. Regular attendance by employees is essential to performing duties in a satisfactory manner to provide efficient and effective public service.

Excessive tardiness and poor attendance will not be tolerated. Unauthorized or excessive absences or tardiness will result in disciplinary action, up to and including termination of employment. An absence is considered to be unauthorized if the employee has not followed proper notification procedures or the absence has not been properly approved. Failure to notify the City properly of any absence may be grounds for disciplinary action. Absences covered by legally protected leave will not count against an employee's attendance record.

Employees who are absent from work for three consecutive workdays without excuse and without giving proper notice to the City will be considered to have abandoned their jobs and voluntarily resigned employment without notice.

Employees who report for work without proper equipment or in improper attire may not be permitted to work. Employees who report for work in a condition considered not fit for work, whether for illness or any other reason, will not be allowed to work. Each department may establish acceptable attendance rules, consistent with the Employee Handbook and City policies, based upon business needs in the manner described within the Employee Handbook.

III-E: Secondary Employment

External Employment

Employees may be permitted to perform outside or secondary employment for employers other than the City, provided the secondary work does not present a conflict of interest with the employee's position and duties as well as does not interfere with the performance of the employee's position with the City. Secondary employment includes self-employment which shall be treated the same manner as employment for a third party.

Violation of this policy may result in disciplinary action, up to and including the termination of employment. The City may instruct an employee that he or she may not perform secondary employment if the employee violates this policy, the employment is incompatible with the employee's position or presents a conflict of interest.

III-F: Separation from Employment

It is the City's policy to provide an orderly employment separation process because of an employee's resignation, termination of employment, retirement, the expiration of an employment contract, or a reduction in the size of the workforce. Absent a specific written agreement, employees are free to resign at any time and for any reason and employees may be terminated from employment at any time and for any reason not prohibited by law. Upon separation from employment, employees are required to return any City-owned property, equipment, or identification. The separation processes described in this policy are guidelines and do not create a contract between the City and its employees. The City may implement, amend, or abolish its policies and practices as it deems appropriate. Separations from employment generally occur in one of the following circumstances and will ordinarily be conducted in the following manner.

Resignations

Employees are requested to give a two (2) week written notice of their intent to resign. In certain circumstances, a verbal notice to the direct Supervisor may be acceptable until a formal written notice can be given. The City may agree to an earlier separation date in consultation with the employee; the employee shall not be entitled to be paid for any period beyond his or her separation date.

Terminations from Employment

Terminations from employment are involuntary separations initiated by the City and include resignations in lieu of termination. Employees who are terminated from employment, other than in the case of workforce reductions, will not be considered to have separated in good standing and will not be eligible for re-employment.

Workforce Reductions

Reductions in the workforce are temporary or permanent layoffs or involuntary separations required by adverse economic, budgetary or other conditions. The City will attempt to avoid layoffs and workforce reductions and, whenever possible, will consider alternatives. Employees separated pursuant to a workforce reduction will be treated with respect, notified regarding potential layoff as soon as possible, and generally treated in the manner consistent with an employee who voluntarily resigns from employment.,

Exit Interview

The Human Resources Director may offer to conduct an exit interview. The City encourages employees to participate in the exit interview process.

III-G: Personnel Records

The City maintains personnel records for applicants, employees, and past employees to document employment-related decisions, evaluate and assess policies, administer benefit programs, and comply with legal and regulatory recordkeeping and reporting requirements. The City tries to balance its need to obtain, use, and retain employment information with concern for each

individual's privacy; thus, the City attempts to maintain only the personnel information that is necessary to conduct City business or required by applicable law. Personnel records regarding a current or past employee are confidential. Reasonable efforts will be made to preserve the confidentiality of that information. The City will comply with all laws that regulate the manner in which personnel or employment-related records are to be kept, govern access to, and address the disclosure or non-disclosure of information regarding applicants, employees, or former employees. The City will provide current employees with reasonable access to their official personnel files.

Personnel File

The Human Resources Director is responsible for managing the recordkeeping for all personnel records and employee-related information and for specifying the type of information that should be collected and manner in which it shall be stored and secured. This does not dictate that there is only one file for each employee or that all personnel records should be kept in one location; rather, the Human Resources Director shall establish guidelines for record retention and maintaining the official personnel file, separate medical record files, and other legally protected and segregated employment or employment-related documents. The Human Resources Director will disseminate and train Department Heads and Supervisors regarding the guidelines. The Human Resources Director is the City's official custodian of personnel records.

Medical File

The City keeps medical records in a file which is separate and distinct from the employee's official personnel file and will be securely kept. The Human Resources Director is responsible for the maintenance of employee medical files and is the City's official custodian of employee medical records.

Employee Responsibility

Employees have a responsibility to keep their personnel records up to date and should notify the City in writing, if electronic self-serve options are not available, of any changes.

In addition, employees who have a change in the number of dependents or marital status which results in a decrease or increase in the number of dependents are responsible for completing a new Form W-4 for tax withholding purposes.

Access to Personnel Files

The City will provide current employees with reasonable access to their official personnel files. Current employees may review their own official personnel files and may request copies of, but not remove, documents in the file. Employees must provide a written request to the Human Resources Director and review will be scheduled at a mutually convenient time. All such inspections must be conducted in the presence of the Human Resources Director or his or her designee. Employees should provide notice of at least two business days. Employees who believe that any information in the file is incomplete, inaccurate, or irrelevant and are unable to resolve the issue with the Human Resources Director may place a written statement in the file regarding the matter.

Former employees may request a copy of their personnel file. Former employees will be responsible for payment of the actual costs for providing copies. The City will provide a copy of the official personnel file within a reasonable time and upon receipt of payment for the actual costs of production.

Only Supervisory and management employees who have an employment- or business-related need to access the information will be permitted to review or access a current or former employee's personnel records. Requests for access and review should be directed to the Human Resources Director or City Administrator, as appropriate, either of whom may require a written request.

External Requests to Access Personnel Files, Information and Reference Requests

The City ordinarily will release personnel information to those persons or entities who have been authorized in writing to view the file by an employee or former employee, by court order, subpoena, or other legal mandate, or for justified law enforcement and public safety reasons to view the file as determined in the sole discretion of the City, subject to all applicable federal, state or local laws or administrative regulations. The City will also comply with the disclosure requirements of the Kansas Open Records Act.

All requests from external persons or agencies for personnel information concerning applicants, employees, and past employees, including but not limited to reference requests and Open Records Requests, shall be referred to the Human Resources Director. The Human Resources Director shall process and respond to all reference requests and provide the information required by applicable law. If a former employee or a third party provides the City with an executed release from the employee, the Human Resources Director may consult with the City Attorney or special counsel concerning the propriety of the request, as needed, and produce the records authorized within the release or respond to verbal inquiries consistent with the written records contained within the official personnel file.

Section IV: Compensation and Classification

IV-A: Classification and Pay Ranges

The City has established a salary resolution to evaluate and determine the relative internal ranking of positions, establish internal equity, provide market-based compensation rates for employees, comply with applicable legal standards, and support the City's compensation philosophy. The City may classify each job based on the education and training required, the nature and complexity of the work performed, the relative responsibilities of the position, whether the position requires supervisory or managerial functions, and any other relevant skills, knowledge, experience, or expertise necessary to successfully perform the functions and requirements of the position as described in the job description. Each classification shall be assigned a pay range. The Governing Body shall annually establish and adopt the pay range for all classified positions, consistent with and subject to the City's fiscal and budgetary requirements and limitations, in the form of the City's salary resolution. Absent Governing Body approval, employees' pay rates shall be within the pay range for their position as set forth in the City's salary resolution.

While the salary resolution will be annually established by the Governing Body, the City may also review and amend the classification plan, a position's or multiple positions' grade, or the appropriate pay range for a position or positions to address changes in job duties resulting from reorganization or restructuring, reassignment of duties, creation of new positions, the assignment of additional duties or responsibilities, or other relevant factors. Amendment of the City's salary resolution must be adopted by the Governing Body, ordinarily upon the recommendation of the Human Resources Director.

IV-B: Job Descriptions

The City will complete a job description for each position. The job description, excluding seasonal positions at the Spring Hill Aquatic Center as those job descriptions may have a different format, shall set forth a concise descriptive title, exempt or non-exempt determination, a description of the duties, functions, and responsibilities of the position as well as a statement of the minimum qualifications for the position. Job descriptions and amendments to job descriptions shall be developed by the supervising authority (*e.g.*, Department Head, City Administrator) in consultation with the Human Resources Director. The Human Resources Director shall maintain copies of all job descriptions.

IV-C: Compensation

It is the policy of the City to attract, retain, and reward employees dedicated to excellence in the provision of public service by offering market-based competitive compensation and benefits and a personally rewarding work environment. The City aims to balance market-based compensation rates for comparable organizations, performance-based compensation, and fairness and internal equity with fiscal responsibility. The City provides compensation in compliance with all applicable laws and consistent with fiscal and budgetary control.

The Governing Body is solely responsible for the establishment the City's pay ranges, and for funding compensation related expenditures. The Governing Body shall annually establish the City's salary resolution, performance increase pool, and will fund all compensation through or consistent with the annual budget process. The City will ordinarily conduct an internal annual cursory review and conduct a salary survey every 3 - 5 years or as needed if circumstances support a shorter recurrence to determine appropriate market-based pay ranges for the City's salary resolution.

Nothing contained within this policy or the Employee Handbook restricts or is intended to restrict the authority of the Governing Body to adjust, amend, or establish pay ranges, to meet fiscal responsibilities, in the best interests of the City, or as the Governing Body sees fit.

IV-D: Establishing Pay Rates

The City provides employee pay rates consistent with the pay range for the employee's position as set forth in the Governing Body's annual salary resolution in light of the classification plan. Employees' pay rates shall be within the minimum and maximum rate of pay for each classified position. Employees' pay rates within the respective ranges will be based upon qualifications,

education, experience, market conditions, and other relevant factors. Employee pay rates will be established in a nondiscriminatory manner and in compliance with all applicable laws.

New Hires and Promotions – Employees

The City Administrator, in consultation with the Human Resources Director and the supervising Department Head, shall establish the initial pay rate for new hires and employees promoted to a new position, consistent with the employee's qualifications, experience, education, market conditions, and internal equity.

1. The pay rate for current City employees selected for promotion shall be established in the same manner as newly hired employees; provided that, subject to budgetary restrictions, promoted employees shall receive a pay rate increase of not less than five percent of their previous rate of pay.

IV-E: Merit Rate Increases

The City rewards achievement and outstanding performance in determining employee merit pay rate increases. The City awards merit pay rate increases in a fair and equitable manner based on evaluation of the employee's, officer's or department head's success in meeting or exceeding his or her performance expectations and the standards established for his or her position. The Governing Body will determine annual merit pool during the budget process. Seasonal employees are not eligible for merit increases. Any applicable increases for returning seasonal employees will be considered when pay rates are offered.

IV-F: Pay Days and Pay Periods

The City pays wages to employees on a bi-weekly basis covering a pay period of two full work weeks every other Friday. If the designated payday falls on a City-designated holiday, then wage payments will be made on the last business day before the holiday, unless business necessity requires payment on a later date. The amount, manner, and timing of wage payments will comply with all applicable state and federal laws or regulations, including all required and properly authorized deductions. Wages will be paid only after they are earned, and the City will not advance wages.

IV-G: Time and Pay Records

Non-exempt employees are required to document actual time worked and any scheduled time not worked (paid or unpaid time off during normally scheduled work hours). Exempt employees are required to document any scheduled time not worked for the purpose of recording and tracking leave usage consistent with the principles of public accountability. The Human Resources Director or their designee shall maintain all records of time worked, absences, use of paid and unpaid leave, payroll records, and other records required by law.

Section V: Employee Relations

The City's performance management process is intended not merely to periodically assess performance for the purpose of merit pay increases, but instead, is meant to provide ongoing communication to improve both individual and organizational productivity, identify and correct performance issues, plan employee career development, assess readiness for transfer or promotion, determine compensation, recognize achievements, and increase employee engagement. The City expects employees to actively participate in the performance management process, propose goals and expectations, and jointly identify personal and professional development objectives.

Performance expectations, goals, personal development objectives, and measurement criteria shall be clearly communicated. If an employee is not meeting the expectations established in his or her performance review and has not sufficiently improved through informal coaching and guidance, his or her Supervisor is responsible for developing a performance improvement plan to assist the employee in meeting performance standards for the position. Supervisors should develop performance improvement plans with employees in an interactive process and are encouraged to consult with the Human Resources Director for assistance in developing the performance improvement plan.

V-A: Performance Management and Employee Evaluations

Reviews and evaluation of employee performance, achievement, accountability, and contributions will be done in an equitable and unbiased manner for seasonal employees.

Regular Communication and Feedback

Supervisors &/or Department Heads should provide employees with continual informal coaching and feedback. Such communication is most beneficial to the employee and the organization when given in a timely manner and is particularly valuable when establishing new processes, assigning additional responsibilities, or learning new skills. While informal, regular dialog with employees should be interactive and specific and conducted in light of the employees' performance and development expectations and goals. Discussing performance or behavioral issues with employees in a timely manner enables employees to address performance deficiencies, seek additional training or assistance, and correct behavior issues before more significant problems develop. Consistent, timely feedback also maintains progress toward organizational goals, permits adjustment to timelines, and improves service to the public.

V-B: Professional and Organizational Development

The City provides employees with development tools, learning opportunities, and training programs which enable employees to perform to the best of their abilities, to maintain compliance with applicable laws and business practices, and to better contribute to the City's provision of services to the public. The City will furnish employees with necessary training and development programs consistent with the duties and responsibilities of their positions.

All development tools, learning opportunities and training programs provided by the City will be administered in a non-discriminatory manner.

V-C: Performance Improvement

The City will hold all employees, officers, and Department Heads accountable in meeting the performance expectations of their positions. When an employee's performance is not meeting the expectations of his or her position, the City expects the employee to correct the deficiency and bring his or her performance to acceptable standards. The City generally favors a positive, interactive process to address unsatisfactory performance. The interactive process provides notification to an employee about a performance issue, sets out the steps necessary to meet performance standards, seeks employee input, and establishes the consequences for failure to improve. When an employee does not meet performance expectations, the City may initiate the performance improvement process and provide the employee with an opportunity to correct a developing problem through coaching or specific performance improvement plans. The City may use any reasonable form of coaching, training, performance improvement plan, or other corrective action that it deems appropriate. The City may also choose to terminate the employment relationship and not to initiate the performance improvement process.

Performance issues are often distinct from misconduct and may be addressed and corrected, generally, in a different manner. When clearly a performance issue, a performance improvement plan may be created and structured to assist the employee in meeting the expectations of his or her position. Performance improvement plans are not a useful tool in addressing misconduct – which should be corrected through the disciplinary and corrective action process.

The performance improvement plans are managed in an interactive process with employees and via consultation with the Human Resources Director. Failure to satisfactorily complete the requirements of a performance improvement plan within a reasonable timeframe may result in the issuance of disciplinary action, up to and including termination of employment.

V-D: Conduct of Employees

The City expects its employees to conduct themselves in a civil, productive, and appropriate manner. Certain rules and regulations regarding employee behavior are necessary for efficient business operations and for the benefit and safety of all employees. Conduct that interferes with operations, discredits the City, or is offensive to the public or coworkers will not be tolerated. Employees are expected at all times to conduct themselves in a positive and productive manner in order to promote the best interests of the City.

This policy provides examples of appropriate workplace behavior and examples of serious employee misconduct that may result in disciplinary action up to and including termination of employment.

A. Appropriate Employee Conduct

1. Treating all customers, visitors, and coworkers in a civil and courteous manner;

2. Refraining from behavior or conduct that is offensive or undesirable, or which is contrary to the City's best interests;
3. Reporting to management suspicious, unethical, or illegal conduct by coworkers, customers, or suppliers;
4. Reporting threatening or potentially violent behavior by coworkers;
5. Cooperating with City investigations;
6. Complying with all City safety and security regulations;
7. Performing assigned tasks efficiently and in accord with established quality standards;
8. Reporting to work on-time as scheduled;
9. Giving proper advance notice whenever unable to work or report on time; and,
10. Maintaining order in the workplace.

B. Prohibited Conduct

1. Conduct that hampers, endangers or is contrary to the mission and goals of the City;
2. Engaging in or threatening acts of workplace violence;
3. Engaging in any form of harassment;
4. Sexual conduct of any sort with a person under the employee's care or custody;
5. Discriminating against another person on the basis of his/her race, color, sex or gender, gender identity or expression including transgender status, citizenship, religion or creed, age, disability, pregnancy, marital status, sexual orientation, genetic information, ancestry or national origin, military status or membership or service in the military;
6. Knowingly making a false statement or submitting false documentation to any employee or officer of the City;
7. Accepting a bribe or otherwise taking or offering to take from any person any fee, gift or any item or service of value, in the course of or in connection with employment, when such gift or other valuable thing or service is given in the hope or expectation of receiving a favor or better treatment than that accorded any other person or to refrain from performing an official act;
8. Engaging in any act of extortion, profiteering, or other means of obtaining money or other things or services of value through an employee's position in the service of the City;
9. Violation of personnel policies and guidelines or departmental policies and guidelines;
10. Failure to report violations of City policies and procedures;
11. Failure to fully cooperate in any City employment or administrative investigation;
12. Reporting to work under the influence of alcohol, illegal drugs, or narcotics, or using, selling, dispensing, or possessing alcohol, illegal drugs, or narcotics on City premises;
13. Disclosing confidential City information, proprietary information, or medical information in violation of the City's HIPAA Policy;
14. Falsifying or altering any City record or report, including but not limited to employment applications or personnel records, medical reports, production records, time records, expense accounts, absentee reports, financial reports, or shipping and receiving records;
15. Stealing, destroying, defacing, or using City property, another employee's property, or a member of the public's property for purposes other than intended or permitted, or working on personal or unrelated work duties while on City time;

16. Using City information technology or communications systems for purposes other than intended or permitted;
17. Violating the City's Purchasing Policy;
18. Inducing or attempting to induce any officer or employee of the City to commit an unlawful act;
19. Refusing to follow management's instructions concerning a job-related matter or being insubordinate;
20. Failing to wear assigned safety equipment or failing to abide by safety policies and procedures;
21. Smoking, vaping, the use of tobacco, the use of e-cigarettes or any related products in violation of City policy or where prohibited;
22. Using language in a manner that offends or shocks, is intended to insult, injure or defame, or is recognized as profanity;
23. Sleeping on the job;
24. Abuse of leave, excessive absenteeism or tardiness;
25. Failure to give proper notice of absence or leaving the workplace without proper authorization or notice;
26. Inattention to duty, carelessness, or causing the breakage or loss of public property or funds;
27. Incompetence or inefficiency in the performance of the duties of his or her position;
28. Engaging in disruptive, discourteous, abusive, intimidating, threatening, or offensive behavior;
29. Committing a criminal or illegal act on or off duty;
30. Unauthorized possession, display, or use of firearms or other weapons on duty or in the workplace;
31. Communicating any false, disparaging, vicious, or malicious statements concerning the City, another person, or other organizations;
32. Failing to immediately report any work-related accident, injury, illness, damage, or threat to any property or person;
33. Engaging in any unethical conduct or in any behavior that creates an actual, potential, or perceived conflict of interest;
34. Knowingly permitting unauthorized persons to be in City facilities or on City premises or to use City equipment or property; and,
35. Photographing, videotaping, or electronically recording any City property, employees, business operations, meetings, or other communications or activities except for public meetings and/or normal documentation of operations without the advance, written consent of the City Administrator.

The examples of prohibited conduct described above are not intended to be an all-inclusive list. At the City's discretion, any violation of the City's policies or any conduct considered inappropriate or unsatisfactory may subject the employee to disciplinary action, up to and including termination of employment. The above list of prohibited conduct does not alter the City's policy of "at will" employment. Both the employee and the City remain free to terminate the employment relationship at any time, with or without cause, and with or without advance notice.

V-E: Corrective and Disciplinary Action

The City requires all employees and officers to comply with the City's standards of conduct and performance, and it is the policy of the City that failure to comply with such standards must be corrected. The City expects employees to work and behave in accordance with the values, service standards, policies and guidelines of the City and the department in which they work. Each employee and officer should be self-disciplined and work hard to provide a high level of public service. All employees and officers are responsible for their own behavior in the workplace, and they must conduct themselves in a manner which complies with established standards of conduct for their jobs and the City's expectations. Whenever employee conduct does not meet the established standard, the employee will be held accountable, and the City will take appropriate disciplinary or corrective action to ensure accountability. Similarly, employees and officers are expected to achieve established performance standards, and they will be held accountable should they fail to achieve those standards.

V-H: Judicial Suspension

An employee must notify his or her immediate Supervisor, Department Head, Human Resources Director or the City Administrator of any arrest, charge, incarceration, or criminal trial in which the employee is the accused that could affect the employee's attendance at work, work performance, or adversely impact the City or bring the perception of the City into disrepute.

The City may place employees who have been charged with or arrested for the commission of a crime, other than minor traffic offenses, on judicial suspension – an unpaid leave of absence. Employees who are placed on judicial suspension, are subsequently acquitted, and are not issued to disciplinary action for violation of City policies related to the conduct for which they were arrested or charged may be entitled to reinstatement of wages and benefits lost while on judicial suspension.

If the employee is convicted of a crime which is inconsistent with continued employment with the City in his or her position, or the City terminates, demotes, or suspends the employee from for violation of City policy related to such conduct, he or she shall not be entitled to reinstatement of wages and benefits.

An employee placed on judicial suspension may be subject to disciplinary action for any violation of City policy. The City may elect to conduct a separate administrative investigation regarding the possible violation of City policies or conduct inconsistent with continued employment with the City separate from the arrest or charge. Upon completion of such an investigation, the City may revoke judicial suspension and impose disciplinary action regardless of the status of the criminal matter. In such circumstances, the employee may access the City's Grievance Procedure.

Upon completion of the investigation or judicial process, the City will revoke judicial suspension. If the City does not elect to impose disciplinary action for violation of City policy or conduct inconsistent with continued employment, the employee is found not guilty, and no disciplinary

action is subsequently taken, the employee will be reinstated and any wages and benefits withheld during a judicial suspension will be paid.

V-I: Dress and Appearance of Employees

Each employee's dress, grooming, and personal hygiene should be appropriate for his or her position and work assignment. "Dress for your day" allows employees' discretion to select appropriate dress, to include footwear, for the business of each workday but the expectation remains that employees will wear clothing that is neat, clean and not overly suggestive.

Certain employees may be required to meet special standards consistent with the nature of their job such as wearing uniforms, safety gear, etc. While swim uniforms are required for seasonal employees performing services at or for the Spring Hill Aquatic Center, items that are strongly encouraged if not required to be part of the overall uniform consist of sunglasses for eye protection as well as first aid kits, hats and/or visors. An employee who does not meet the City's reasonable personal appearance or uniform standards will be required to take steps to comply, which may include leaving the workplace to change clothing. Nonexempt employees will not be compensated for any work time missed because of failure to comply with this policy. Violation of this policy or a departmental appearance or uniform policy may result in disciplinary action. Any questions regarding the appropriateness of attire should be directed to the Department Head or Human Resources.

V-J: No Expectation of Privacy

City Property

City employees do not have any expectation of or right to privacy in connection with the use of City property, including work areas, workstations, and technology and communications systems. The City may conduct such searches, inspections, and monitoring of City property as it deems necessary or advisable from time to time, without advance notice and with or without reasonable suspicion. Therefore, employees do not have, nor should they have, any expectation of or a right to privacy in connection with the use of City property. Nothing in the Employee Handbook confers an individual right to the personal use of or is to be construed to provide an expectation of privacy in the use of City property. City employees have no right to privacy in their use of City property and in any communications generated by the use of City property at any time. The City has unlimited access to and the right to fully monitor and inspect its property, including its technology and communications equipment and networks.

Personal Property

Searches and inspections of an employee's personal property may be conducted only when there is a reasonable suspicion that the employee is or may be in violation of any significant policy, rule, or law. The search of personal property shall be reasonably confined to the scope warranted by the circumstances and shall be observed by an additional member of management. Absent extraordinary circumstances, employees will be notified any time their personal property is searched. Other than in the Police Department, searches of employees' personal property require approval of the Human Resources Director or City Attorney, absent exigent circumstances or legal

process. Searches conducted by or for law enforcement purposes require a search warrant issued by a neutral magistrate absent exigent circumstances.

V-K: Use of City Property

City property is to be used for the purpose of conducting City business. All property owned, leased, or used by the City is for the express purpose of performing work-related City services, including facilities, buildings, equipment, furnishings, vehicles, tools, supplies, technological systems and equipment, communication systems and equipment, and intellectual property. Use of City property for personal purposes will be restricted and limited to protect City employees and property, and to ensure public accountability.

All employees are responsible for properly using and maintaining City property, in a manner consistent the City's work practices, to prevent damage to equipment, property, or resources. Employees shall act responsibly to minimize economic or other losses to the City from the use of such property.

No employee may use City property for personal purposes or for the benefit of any other individual or entity, except 1) if required in the performance of official duties; or 2) for occasional, incidental, and generally accepted personal use at no or minimal expense to the City. For example, generally accepted incidental uses would include brief and infrequent use of City telephones for personal calls, occasional and appropriate personal use of e-mail communications (excluding excessive group e-mails), and occasional use of the Internet which is not otherwise restricted or prohibited. Excessive personal use or personal use which interferes with the performance of an employee's duties or negatively impacts others is not permitted.

Improper use of City property will result in disciplinary action, up to and including termination of employment. Improper use includes any use other than for the intended or authorized purpose for the equipment or property, use inconsistent with this policy, use of that violates other City policies or rules, or any harassing, discriminatory or offensive communications.

V-L: Acceptable Use of Technology

All City employees, officers and Department Heads are expected to use information technology and communication systems in a productive, ethical and lawful manner.

For the purpose of this policy, information technology means all communication and computing devices and systems including, but not limited to, computers, Internet access or connections, Intranet, websites, social media sites, networks, servers, mobile devices, , printers, tablets, e-mail, voice mail, cloud-based storage, other devices, data services or storage systems, etc. provided by contract to the City or any of its departments, and any data stored or kept in or on any of the above. All information technology resources, including all messages and data sent, received or stored on the City's resources are the property of the City and are subject to the review, control, search, retention, and/or disposal of the City.

Employees, officers, Department Heads, and all other users have no privacy rights and should have no expectation of privacy in their use of the City's information technology and communication systems, including any incidental personal use. The City may monitor, audit, intercept, access and disclose all data and messages created, received, or sent using information technology resources to promote efficiency, maintain policy compliance, or require with legal requirements. Passwords or access codes provided to or created by any employee, officer, Department Head, or other user to access the City's information technology systems are intended solely for maintaining the security of the systems and are not intended to create any right or expectation of privacy. Access to City information technology resources is a privilege that may be revoked at any time.

The City's website and any other City social media sites or applications serve as communication channels for distributing official City information to employees and the public and to provide online access to City services. The City's website and its social media sites are considered publications of the City and are subject to the same sort of editorial review as any other official City publication.

Improper use of City information technology resources will result in disciplinary action, up to and including the termination of employment. Improper use includes any misuse described in this policy, any misuse that would result in violation of other City policies, as well as any harassing, offensive discriminatory, or obscene communications.

Department-Specific Requirements

Any Department that has business or operational requirements that justify deviation from specific provisions within this policy may implement alternative written provisions for its use of information technology resources and communication systems. Alternative provisions must be: (1) justified by business need or purpose, (2) consistent with the intent of this policy, (3) proposed in writing by the Department Head, in consultation with the Human Resources Director, and (4) approved by the City Administrator.

Use of the City's Information Technology Resources

1. Messages, posts, or other communications, in any form, should be accurate, appropriate, and ordinarily, work-related.
2. As representatives of the City, employees, officers and Department Heads must ensure that no personal correspondence, posting, or communication appears to be an official City communication, damage the City's reputation, create the appearance of impropriety, or create liability for the City.
3. Employees are responsible for content they post or posted to sites they control. The City will monitor online activity made from City technology and communication systems. The content of online publications made from personal communication sites may be brought to the attention of the City, and the City may monitor online activity and comments, whether or not those posts are made from City facilities, particularly if such activity reflect upon, are introduced to, or interfere with the workplace, bring the City into disrepute or public

ridicule, present a conflict of interest, or create impropriety or the appearance of impropriety.

4. The transmission and dissemination of electronic messages or communication should be treated in the same manner as traditional written correspondence. Communications that would be inappropriate under other City policies are equally inappropriate in a digital message. Employees, officers and Department Heads are always expected to use professional judgment and common sense.
5. If an inappropriate Internet, social media, or Web site is accessed, the site or browser session should be immediately closed. Employees should contact their Supervisor, Department Head or IT if unsure about the security or propriety of a site.
6. Communications and data sent, received or stored on the City's information technology systems or network are generally open public records and may be subject to public disclosure.

Security and Licensing

1. Employees, officers, and Department Heads given access to the City's information technology resources will be provided with and required to utilize and update login and password credentials. Employees may not utilize another user's login or credentials.
2. The City purchases, contracts for, or obtains licensed software for employee use. Users must comply with the terms and conditions of the City's applicable software licensing agreements. Employees should contact IT any time they have a question about the introduction of a software program or application. Any software program or application introduced to the City's information technology resources which is not supported by the City's IT or interferes with the City's resources may be removed.
3. Employees and officers are required to adhere to all applicable licensing and intellectual property restrictions. The City may review the contents of intellectual technology resources to ensure compliance and will remove any software not in compliance.
4. Employees and officers must exercise due care and caution to prevent viruses or malicious software from being received or transmitted through the City's information technology systems. When employees download data from the Internet, e-mail or other digital source, it should be scanned using the City's antivirus software. Employees and officers should not open e-mail attachments unless they are certain of the trustworthiness of the source. Messages that appear likely to contain inappropriate material or a security threat should be deleted. If uncertain, users should contact IT for assistance.
5. Employees and officers must exercise care in communicating confidential information and take steps to ensure that such communications are properly identified and addressed.
6. Employees and officers are required to timely update operating systems and virus protection software. Employees must immediately report all lost, stolen, or misplaced devices to IT or their Department Head. Employees must immediately report any breach or potential breach of security in any of the City's systems or devices to IT.

Incidental Personal Use

Employees, officers, and Department Heads may make incidental personal use of the City's information technology resources as long as such use: 1) is brief and occasional; 2) does not

interfere with the employee's work, another's work, or City's operations; and 3) does not violate any City or department policies, procedures, or rules.

Unacceptable Use of Technology

Unacceptable uses of City's information technology resources include, but are not limited to, the following:

1. To conduct a for-profit business or enterprise for personal gain;
2. To view, store, display or transmit any messages or images that contain defamatory, false or fraudulent, abusive, obscene, pornographic, profane, sexually oriented, threatening, racially offensive or otherwise biased, discriminatory or harassing material;
3. To view, store, display or transmit any messages or images in violation of any local, state or federal law, or which contains illegal material or solicits the performance of any activity or conduct that is prohibited by law;
4. To introduce computer worms, viruses, tracking software or other malicious program;
5. To download data or introduce programs designed or likely to result in the disruption or data corruption to network systems;
6. To falsify another user's identification or seek or gain unauthorized access to a City network, system, database, or another user's account;
7. To attempt or to gain unauthorized access to digital information or communications resources;
8. To access sites or services that create a security threat to the City's networks or systems;
9. To load, install, or run software, to visit Internet sites that facilitate peer-to-peer file sharing, gaming, gambling, or other unauthorized activity;
10. To upload or save to removable data storage belonging to the City for any inappropriate purpose or personal gain;
11. To use unauthorized encryption devices or software on the City's information technology resources or data;
12. To share or duplicate software, violate licensing agreements, or misuse intellectual property;
13. To save or transfer City data to an unapproved storage or mobile device;
14. To install, use, or access software or hardware devices designed to gain unauthorized access to information technology resources or the unauthorized recording of the use of another by password recording, port scanning, keystroke recording, or other method.

V-M: Social Media

Employees, Officers and Department Heads must appreciate the distinction between business and personal use of social media. The City encourages its employees, officers and Department Heads to use care and good sense in their personal use of social media to avoid creating an issue which undermines their ability to successfully perform the duties of their position. Mistakes should be corrected as soon as possible as permitted by the site or application. Material in violation of the City's Social Media Policy must be removed as soon as possible.

Business Use of Social Media

Only City employees authorized by their departments may use social media sites/applications to conduct City business. If authorized and in keeping with City policy, an employee may post on a social media site the City's name or department, email address or telephone number for contact purposes, or post official department information, resources, calendars and events.

As with all communication, employees and officers must ensure online activities bring value, are professional and accurate. Spring Hill reserves the right to monitor usage and content and restrict the use of or access to media or sites at any time without notice.

Spring Hill retains full editorial control over all content of its social media sites and when possible, will edit or remove material if deemed by the City or its representatives to be inappropriate or in violation of any City policy or procedure.

Social media articles, posts and/or comments containing any of the following forms of content shall not be allowed on Spring Hill sites:

1. Contains profane language or content;
2. Promotes, fosters or perpetuates discrimination;
3. Constitutes sexual harassment;
4. Solicits commerce or advertisements including promotion or endorsement;
5. Conducts or encourages illegal activity;
6. Contains information that may compromise the safety or security of the public or public systems;
7. Intends to defame any person, group or organization;
8. Violates a legal ownership interest of any other party, such as trademark or copyright infringement;
9. Makes or publishes false, vicious or malicious statements concerning any employee;
10. Contains violent or threatening content;
11. Discloses confidential or proprietary information;
12. Contains information that is not pertinent to the discussion topic; or
13. Comments in support or opposition to political campaigns or ballot issues.

The above list shall not be deemed to be all-inclusive and the City reserves the right to add additional criterion. The City reserves the right to ban users who repeatedly violate the above civility expectations from its social media sites.

Procedures

Employees who are responsible for content must exercise vigilance in online activities. These activities reflect on both the employee and the City. As such, careful consideration as to what is published is essential. Violation of confidentiality or comments made against others in violation of City policy may be removed and, if made by an employee, will be subject to disciplinary action, up to and including termination of employment.

The following are provided to ensure appropriate use of social media:

1. Only authorized employees or officers may use the City's social medial sites or applications to conduct City business.
2. The same care must be given to information shared through social media as is given to other avenues.
3. Authorized employees should correct mistakes as soon as possible as permitted by the site or application. Authorized employees must remove any material in violation of the City's Social Media Policy as soon as possible.
4. Establishment of accounts under individual employees is not permitted.
5. Employees are expected to protect the City's confidential and proprietary information and are prohibited from sharing information that is confidential or proprietary. Examples of this include health information, vendor information, confidential bid documents, contractor proprietary information, and personnel information and records.
6. Employees must respect copyrights, trademarks, patents, service marks or other intellectual property rights, and must ensure the right to use content is granted before it is published. Proper credit for others' work must be clearly indicated on the site.
7. Wherever possible, links to more information should direct users back to the City's official website for more information, forms, documents or online services necessary to conduct business with the City.
8. Employees must respect the audience, the City, fellow employees and customers. The use of slurs, personal insults, defamatory language, obscenity or engaging in any conduct that would not be acceptable in the workplace or bring discredit to the City is strictly prohibited.
9. City employees must respect and show proper consideration for others' privacy.

Personal Use of Social Media

This applies to the personal use of social media and content contributed to social media in the workplace, and to professional use, or apparent professional use, of social media outside of the workplace. Department Heads, officers and employees should be aware that third parties may confuse their personal and professional roles. Users should exercise vigilance in their online and social media activities and are responsible for content posted by them or posted to sites over which they have control. These activities, including personal use of social media outside the workplace, reflect on the individual and, in some cases, the City. As with other online activity, employees, officers and Department Heads may be held responsible for social media posts that are not a matter of public concern or are related to their employment and portray the City negatively, bring the City into disrepute, or are inconsistent with continued employment.

The personal use of City resources to access social media is to be limited to incidental use. Such use must not interfere with the employee's performance of assigned job responsibilities, interfere with other employees' job performance, or compromise the functionality of the department tor City network.

The City reserves the right to monitor workplace use and restrict the use of or access to media or sites at any time without notice. This procedure applies to all aspects of social media and social networking tools and channels used in the workplace or accessed through City equipment.

Procedures

Employees should exercise vigilance in online activities and are responsible for content posted by them or posted to sites over which they have control. The content of online publications may be brought to the attention of the City, and the City may monitor online activity and comments, whether or not those posts are made from City facilities.

The following guidelines are provided to ensure appropriate use of social media:

1. If posted material may reasonably be construed to represent the City, the material shall be accompanied by a disclaimer: an explicit statement that the individual is speaking for himself/herself and not as a representative of the City or any of its departments or agencies.
2. Employees and officers should take care to ensure that social media sites are not left open on their desktop when the media is not in use.
3. Employees and officers may be subject to disciplinary action, up to and including termination of employment, for inappropriate personal use of social media in the following circumstances:
 - a. Use that is inconsistent with an employee's or officer's position, duties or continued employment or brings ridicule upon the City and does not address a matter of public concern or is a workplace personal grievance or disruption, consistent with evolving legal standards.
 - b. Release of protected information with regard to information gained in the workplace or as a result of an employee's professional responsibilities.
 - c. Personal comments or images which are disruptive to the workplace and do not address a matter of public concern.
 - d. Inappropriate use of social media in the workplace or while using Spring Hill equipment.
 - e. Employees, Officers and Department Heads may not utilize auto-notifications for personal social media platforms, sites or applications or personal use of the same on the City's information technology and communication systems and equipment. Personal social media notifications and alerts should not be linked to employees' City email address.
4. Employees and officers must minimize the amount of video that is accessed from work. If an employee receives a link to a video or audio file that is not work related, employees should access the files at home. As with nonwork related email, employees should not share or forward non-work related videos.

5. Employees are expected protect the City’s confidential and proprietary information and are prohibited from sharing topics that are confidential or proprietary.

V-N: Conflicts of Interest and Political Activity

The City supports the rights of all employees to engage and participate in political activities. The City does not hire, promote, or retain employees on the basis of political affiliation or activity and strictly prohibits the solicitation or coercion of employees by Supervisors or others in positions of authority. The City’s employees and Department Heads may engage in political activities in the same manner as any other private citizen outside of the workplace; provided that, an employee’s political activity cannot interfere with work attendance or performance or create impropriety or the appearance of impropriety. Employees may not engage in political activity that is incompatible with their duties, hold appointive or elective office incompatible with the duties of their position, provide preference to or denial of services to others on the basis of political affiliation or activities, or wear or display political buttons, badges, or signs in the workplace, while on-duty or in City uniform. Supervisors at all levels and all other employees, officers or persons in a position of authority are prohibited from soliciting employees to contribute money or labor to any candidate or for any political issue, or from compelling, pressuring or coercing any employee to support a candidate or otherwise engage in any political activity.

V-O: Smoke-Free and Tobacco-Free Workplace

The City prohibits smoking, including but not limited to the use of vapor producing electronics or similar pipes or devices (“vaping”), e-cigarettes and the use of any tobacco products within any building or facility owned or leased by the City; in work areas, including exterior work sites while performing services on behalf of the City; in vehicles owned or leased by the City; or where otherwise prohibited or designated as smoke or tobacco free areas and within any other facility or property used or occupied by the City for conducting business. The City complies with all applicable federal, state, and local regulations regarding smoking in the workplace and to provide a work environment that promotes productivity and the well-being of its employees.

The City permits smoking, vaping, e-cigarettes and tobacco use in most exterior areas of City property, at least 10 feet away from any entrance or exit to a City owned, leased, or controlled building; provided that, the City Administrator or his or her designee, may designate one or more entrances, or areas at or around an entrance, of any City owned, leased, or controlled building as smoke- and tobacco-free areas and may prohibit smoking, vaping, e-cigarettes, or other tobacco use in particular exterior facilities, *e.g.* the Aquatic Center or other outdoor property.

Employees should exercise common courtesy, respect the needs and sensitivities of coworkers regarding this policy and should treat all coworkers, officials, visitors, and members of the public with respect and civility. Violation of this policy may result in disciplinary action, up to and including termination of employment.

V-P: Drug-Free and Alcohol-Free Workplace

The City is committed to protecting the safety, health, and well-being of all employees and the public by maintaining a drug-free and alcohol-free workplace. Employees and officers whose drug or alcohol use impacts the workplace will be subject to disciplinary action up to and including termination of employment. In addition to and/or in the alternative, at the City's discretion, employees and officers may be given an opportunity to participate in rehabilitation subject to a return-to-work agreement.

Prohibited Behavior

It is a violation to use, possess, sell, trade, and/or offer for sale alcohol, illegal drugs, intoxicants, or drug paraphernalia in the workplace, including prescription drugs prescribed for another individual. It shall also be a violation of this policy to work or report to work while under the influence of illegal drugs or alcohol, regardless of where consumed. If an employee violates the policy, he or she will be subject to disciplinary action, up to and including termination of employment, or may be required to enter rehabilitation or seek treatment. An employee required to enter rehabilitation and fails to successfully complete rehabilitation or treatment or repeatedly violates this policy will be terminated from employment. Nothing in this policy prohibits the employee from being disciplined or discharged for a first violation of this policy or for other violations and/or performance problems.

Ability to Perform Duties

Employees, Officers and Department Heads are expected to report to work in a condition that enables them to safely and effectively perform the duties of their positions. If the use of alcohol, illicit drugs, prescribed medications or over-the-counter medicines impairs, or may impair, an employee's ability to perform his or her job duties, he or she should notify the Human Resources Director. Human Resources will discuss work related restrictions and/or accommodations with the Department Head.

Individuals who serve in safety-sensitive and security-sensitive positions have a duty to ensure that they are aware of the effects of any medication they are taking and that the medication will not impair their ability to safely and effectively carry out the functions of their position. Any individual in a safety-sensitive or security-sensitive position is required to advise the Human Resources Director if he or she is taking any over-the-counter medication or prescribed medication that may impair his or her ability to safely and effectively perform assigned duties.

Notification of Convictions

Any employee who is convicted of a criminal drug violation must notify the City in writing within five (5) calendar days of the conviction either to the Department Head or to the Human Resources Director. The City will take action as appropriate under the circumstances and as required by the Drug-Free Workplace Act within thirty (30) calendar days of notification. Departments which have been awarded federal grants or contracts shall notify the appropriate state or federal contracting agencies as required by law. The City Administrator, in consultation with the employee's Department Head or Supervisor, the Human Resources Director and the City Attorney, shall determine whether an employee's conviction is inconsistent with continued employment or whether other action is appropriate, including disciplinary action and/or referral to a substance

abuse professional for assessment, successful completion of recommended treatment, or completion of a Return-to-Work Agreement.

Notice of Drug or Alcohol-Related Criminal or Administrative Actions

An employee, officer or Department Head is required to immediately report to his or her Department Head or Human Resources Director:

1. If he or she has been charged with or issued a citation for driving under the influence either:
 - a. at any time, under any circumstances, if operating a motor vehicle is a requirement of the employee's position or the employee operates a vehicle owned or leased by the City; or
 - b. while driving a City-owned or City-leased vehicle or while driving any vehicle while on City business or during working hours.
2. If he or she receives notice of the intent to suspend, revoke or restrict his or her driving privileges or driver's license, or if his or her driving privileges or license have been suspended, as a result of failing a blood or breath alcohol test, failing to submit to testing, or for any other reason related to the operation of a motor vehicle under the influence of drugs or alcohol, if operating a motor vehicle is a requirement of the employee's position or the employee operates a vehicle owned or leased by the City.
3. If he or she is charged with a crime or criminal offense involving the unlawful manufacturing, distribution, possession, or use of a controlled substance, including a citation for any of the above.

The City Administrator, in consultation with the Human Resources Director and the City Attorney, as advisable, will determine whether it is appropriate for the employee to continue working while the charge, administrative hearing or suspension of driving privileges is pending.

Drug and Alcohol Testing

The City requires employees, officers who are employed by the City, and Department Heads, or applicants for employment, as a condition of employment, to participate in drug and/or alcohol testing in the following circumstances:

1. **Pre-employment, Post Offer Testing:** Offers of employment may be conditioned upon the successful completion of drug and alcohol testing.
2. **Reasonable Suspicion Testing:** The City may take such action as it deems appropriate or necessary whenever it has reasonable suspicion that an employee, officer or Department Head may be in violation of this policy or under the influence of alcohol or drugs, including relieving the individual from duty and requiring him or her to submit to drug and/or alcohol testing. "Reasonable suspicion" is an articulable belief based on objective facts sufficient to lead a reasonable person to suspect that an individual is under the influence of drugs or alcohol so that the his or her ability to safely perform his or her job is reduced. "Reasonable

suspicion” may exist upon observation of impaired performance; when an employee exhibits physical signs of on-the-job drug or alcohol use; or when a Supervisor or Department Head has information that the employee is using drugs or alcohol.

- a. If a Supervisor or Department Head reasonably believes an employee may be under the influence of alcohol and/or drugs or is otherwise in violation of this policy, he or she should require the employee to remain on site but immediately cease working and contact the Human Resources Director.
- b. An employee or officer required to submit to reasonable suspicion testing shall be transported to and from the testing facility by a Supervisor,

Testing Procedures

The City’s drug and alcohol testing and related programs and all related documentation and recordkeeping will be administered by the Human Resources Director. The Human Resources Director, under the supervision of the City Administrator, will oversee, administer, or approve all drug and alcohol testing described in this policy, or the City upon the direction of the City Administrator may utilize a third-party provider to administer and implement any or all aspects of its DOT testing program. To ensure the accuracy and fairness of the City’s testing program, all drug testing will be conducted according to DHHS/SAMHSA guidelines, and all alcohol testing will be conducted in a manner consistent with the guidelines for alcohol testing issued by the Kansas Department of Health & Environment or by the DOT, as applicable.

Positive Tests

Any employee, officer or Department Head who tests positive for alcohol or drugs will be removed from duty and will be subject to disciplinary action, up to and including termination of employment. I

An applicant who fails to successfully complete a drug or alcohol test or otherwise violates this policy will have his or her conditional offer of employment withdrawn.

An employee, officer or Department Head who refuses to complete the screening test or refuses to cooperate in the testing process in such a way that prevents completion of the test, including a retest for negative dilute tests, will be subject to the same consequences of a positive test.

Voluntary Admission and Assistance

The City recognizes that alcohol and drug abuse and addiction are treatable illnesses. The City encourages employees to voluntarily seek help with alcohol and/or drug problems. Treatment for alcoholism and/or other drug use disorders may be covered by health insurance but the financial responsibility for recommended treatment, however, ultimately rests with the individual employee, officer or Department Head.

Confidentiality

All information received by the City in the process of administering the provisions of this policy shall be considered confidential communications. Access to this information is limited to those who have a need to know in compliance with relevant laws and City policies. All drug and/or alcohol information will be maintained in separate confidential records. All substance abuse treatment or healthcare records shall be maintained in separate confidential files and shall not be stored or combined with employment or personnel records.

V-Q: Weapons in the Workplace

The City prohibits any employee from carrying a weapon while working for the City; excepting that, in accordance with Kansas state law, legally qualified civilian employees shall be authorized to carry/possess a concealed handgun while engaged in their duties as an employee within the following restrictions:

1. Employees and officials legally possessing handguns may carry concealed handguns, during the course of their employment, consistent with the Kansas Personal and Family Protection Act, in areas outside of buildings, including City and personal vehicles, when not otherwise lawfully prohibited, and in public and unsecured areas of any buildings open to the public which is not posted as prohibiting the carrying of concealed weapons.
2. Employees may not store a handgun in a vehicle owned or leased by the City of Spring Hill when they are not in the vehicle or on property owned by the City of Spring Hill unless the handgun is locked in a secure and safe manner.
3. The handgun will be carried completely concealed, in a proper holster or similar product with all safety features in place.
4. Other than certified law enforcement officers, employees may not carry a concealed handgun within the restricted area of the Police Department at any anytime.
5. If an employee elects to lawfully conceal and carry a handgun, the handgun cannot interfere with or delay in the performance of their assigned duties or obstructed required safety equipment.
6. Employees who enter onto “private property” during the course of their duties are required to comply with any restrictions imposed by the property owner, including compliance with any signs conspicuously posted in accordance with rules and regulations adopted by the Attorney General.
7. Employees and officers will not leave a handgun in plain view and/or unattended. Open carry is prohibited by any City employee conducting business whether in a City vehicle or in the employee’s personal vehicle on City business.
8. Other than certified law enforcement officers, it is outside the course and scope of employment for any city employee to use, brandish, point or threaten with a handgun or any other weapon, any person in the workplace or while completing their duties.
9. Employees must abide by any posted signage and security measures with regard to the prohibition of concealed handguns in certain public buildings, in compliance with Kansas state law. If an employee elects to lawfully carry a concealed handgun, the employee is prohibited from carrying into any City facility that has adequate security measures as defined in the Act.

10. Any injury suffered by an employee caused by carrying a concealed handgun while working will not be considered for workers' compensation.
11. Any liability associated with the employee's decision to carry a concealed handgun will be considered of a personal nature and will not be defended by the City as the carrying of a concealed handgun is not part of the employee's duties.
12. Nothing in this Policy shall be construed to waive any immunity to which the City is entitled including but not limited to immunity under the Kansas Tort Claims Act.

Section VI: Leave and Benefits

Seasonal employees are not entitled to any paid leave. Seasonal employees are typically not eligible for protected leave. However, if an employee should feel that they need such leave, they should contact Human Resources.

VI-A: Work-Related Injuries and Workers' Compensation Benefits

The City will comply with the Kansas Workers' Compensation Act or other applicable state laws regarding workers' compensation benefits in the event that an employee suffers a work-related illness or injury and provide compensation and medical benefits to eligible employees to meet the requirements of workers' compensation laws. Employees who suffer workplace injuries or illnesses that result in absence from work may be entitled to the payment of workers' compensation benefits. The City will also comply with all applicable state and federal workplace safety laws and regulations, posting requirements, and reporting obligations. The Kansas Workers' Compensation Act includes a seven consecutive calendar day waiting period before payment of workers' compensation payments begins. Upon initiation of workers' compensation benefit payments, a covered employee may utilize his or her accumulated sick or vacation leave or other qualifying paid leave to supplement workers' compensation benefits to bring the employee to his or her full pay rate on a pro rata basis.

Procedures for Reporting and Addressing Work-Related Injuries

1. An employee shall immediately report all injuries incurred while on the job to his or her Supervisor, or if his or her Supervisor is unavailable to his or her Department Head or the Human Resources Director, regardless of the extent of the injury.
2. Supervisors or Department Heads will provide first aid treatment or direct or transport an injured employee to receive medical treatment, if required, at the City's designated treatment facility. Injured employees may also be taken to the closest emergency room or urgent care facility should the medical need warrant or the injury occurred outside the City's designated treatment facility's clinic hours.
3. The Supervisor or Director, Employee and any Witnesses will complete an injury report and forward the original report to the Human Resources Director before the end of the shift during which the on-the-job accident, injury or illness occurred unless extenuating circumstances prevent this. In this case, reports must be done within 24 hours.
4. After a job-related accident requiring care beyond minimal first aid, the City requires that the employee be released to return to duty by the City's designated treatment facility or designated provider before the employee will be allowed to return to work.

5. If needed, the authorized treating physician, the Human Resources Director, and the injured employee's department will actively seek to return the employee to modified duty consistent with the restrictions provided by the authorized physician. The employee's Supervisor or Department Head shall not require, nor shall the employee perform, duties that are beyond the physician's stated restrictions. Return to modified duty is temporary in nature until such time that the treating physician releases the employee to return to full duty or determines permanent work restrictions.
 - a. The City will attempt to find productive work for injured employees consistent with each employee's specific work restrictions as returning injured employees to work as soon as possible benefits both employees and the City.
 - b. The City may identify or assign alternative or modified work-duty tasks; matching a worker's impaired physical capability from an injury to these tasks can control costs, improve employee morale and productivity, and reduce the need for employee leave use. Light-duty assignments depend upon the City's business needs; availability of productive work; and are temporary in nature and shall expected not exceed 180 days.
 - c. Temporary, restricted duty work reassignment need not be confined to the department in which the employee is ordinarily employed.
6. An employee is required to inform the Human Resources Director of his or her physical condition, medical appointments, and anticipated date of return-to-work. Such notice may require the inclusion of supporting medical documentation.
7. A work-related injury that results in a serious health condition will be considered a Family Medical Leave (FMLA) event.

SEASONAL EMPLOYEE HANDBOOK ACKNOWLEDGEMENT AND RECEIPT

I, _____(employee), acknowledge receipt of the Seasonal Employee Handbook for the City of Spring Hill, Kansas and that I am responsible for reading, understanding its contents and complying with its provisions. I understand that the Seasonal Employee Handbook is intended only as a general reference guide and not a complete statement of the human resources policies.

I further understand that nothing in the Seasonal Employee Handbook creates a promise or representation of continued employment and that my employment with the City is at-will, which may be terminated with or without cause or notice at any time by the City or me. I understand and acknowledge that this Seasonal Employee Handbook does not create a contract with the City for any purpose and that the provisions of this Seasonal Employee Handbook may be modified or eliminated at any time.

Additionally, I understand this handbook can be discussed with Human Resources, my Supervisor or Department Head at any time and it can be found on the City’s “Y-Drive” as well as the website www.springhillks.gov/105/Municipal-Code in Chapter 1 - Administration at any time. I also acknowledge that I have been afforded an opportunity to have any questions answered for items that I may not understand.

Signature

Date

FAIR LABOR STANDARDS ACT (FLSA) POLICY ACKNOWLEDGEMENT AND RECEIPT

I, _____ (employee), understand The City of Spring Hill, Kansas is committed to complying with the Fair Labor Standards Act (FLSA) as well as state and federal wage and hour laws. Therefore, the City is prohibited from making any improper deductions from the salaries of exempt employees. The City is also prohibited from not paying non-exempt employees overtime if overtime applies unless the employee requests overtime hours be calculated as compensatory time. If you believe that an improper deduction has been made from your salary or that you were not paid for overtime work performed, notify the Human Resources department immediately. All reports of improper deductions from wages or an overtime denial will be promptly investigated. In the event that it is determined that an improper deduction has occurred or an overtime pay error occurred, you will be promptly reimbursed. Violations of this policy may subject you to discipline, up to and including termination of employment. Please direct all questions concerning this policy to the Human Resources department.

By signing below, I acknowledge receipt of this FLSA policy. I have read and understand its contents. I understand that I am responsible for knowledge of all content of this policy and that failure to comply with this policy may result in disciplinary action, including the possibility of termination of employment. I understand that I have the right to file a complaint alleging an improper salary deduction or an overtime denial.

Signature

Date