

EMPLOYEE MANUAL



CITY OF SALISBURY

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1.0 CITY MANAGER'S WELCOME

Dear Employees:

I am pleased to share with you the revised Employee Manual for the City of Salisbury. It was developed to clearly outline the expectations for how we carry out our work and to provide information regarding the policies, programs and benefits available to employees.

I believe that each of you contributes directly to the success of our City as an organization, and it is my expectation that you will read the Employee Manual to understand the revised procedures and guidelines. I encourage you to ask questions if there are any parts of the Employee Manual that are unclear. Working together we can make sure each employee's experience will be enjoyable and rewarding and that our organization and city continue to thrive.

City Manager, W. Lane Bailey

1.1 AT-WILL EMPLOYMENT

Your employment with the City of Salisbury is on an "at-will" basis. This means that either you or the City may terminate your employment at any time with or without notice and with or without cause.

Nothing in this manual is intended to create or shall be construed as creating an expressed or implied contract of employment. Absent specific City Council authority, neither the City Manager nor any other official or employee of the City has the authority to make or create a contract of employment, either actual or implied, on behalf of the City.

2.0 INTRODUCTORY LANGUAGE AND POLICIES

2.1 ABOUT THE ORGANIZATION

Consistent with the City's mission, vision, and core values to serve the best interest of the City, its citizens and its workforce, and in compliance with and support of the law, we affirm our commitment to diversity and inclusion by providing equal opportunity for all employees and job applicants.

2.2 THE SALISBURY WAY

The City of Salisbury conducts its business honestly and ethically wherever operations are maintained. We strive to improve the quality of our services, as well as provide a safe, livable environment for our citizens. The City of Salisbury endeavors to maintain a reputation of honesty, fairness, respect, responsibility, integrity, trust, and sound business judgment. The City expects its managers and employees to adhere to high standards of business and personal integrity as a representation of our business practices.

We expect that all employees will not allow personal interests to conflict with the interests of the City of Salisbury, its citizens or affiliates, nor will they misrepresent the organization. Violation of the Code of Ethics can result in discipline, up to and including termination of employment.

OUR MOTTO: EXCELLENT SERVICE....ALWAYS

OUR CULTURE (P₃)

PURPOSE – To serve, succeed, build trust and exceed expectations

PASSION- For our community, our customers, our career and for our City

PRIORITY- With respect, consistency, timely manner and communication

1. **Serve with Honesty, Integrity, and Respect:** As employees of the City of Salisbury, we (TEAM SALISBURY) are all public servants, and therefore we represent the City at all times on and off the job. We chose to be a servant of our community and model the behavior we desire to see in others. We are responsible for examining our behavior and activities to ensure the City is represented in a positive light.

Honesty- We are truthful with ourselves and with others. Honesty builds the trust needed for a unified community where employees and citizens work together.

Integrity- Our reputation is a valuable possession, and we do the right thing when no one else is looking. We have strong moral and ethical character and will not compromise our principles in any situation. We assume that what we do will be seen by all.

Respect- We acknowledge and embrace the feelings, wishes, rights and traditions of others. We continually strive to honor and value those we serve.

2. **Embrace Diversity, Equality and Inclusion:** We come from a variety of backgrounds, each with a unique set of experiences and beliefs. Our differences are considered assets which enable us to understand and respect diversity, which is critical to serving our community. It is our mission to be an inclusive community. We continue to seek a holistic approach to community improvement, and we welcome the opportunity to work with all people.
3. **Provide a Wholesome and Safe Place to Live:** We are stewards of our community resources and dedicated to the safety of our City. We are committed to promoting the health and well-being of mind, spirit, and body for all. We are resilient and strive to constantly improve our quality of life.
4. **Encourage Creative Thinking, Communication and Partnerships:** Our work is complex and requires an integrated effort among our many partners to accomplish important tasks. While we are self-motivated and independent thinking individuals, we recognize that anything can be accomplished with collaboration, open communication, and transparency.
5. **Commit to Historic Preservation and Community Investment:** We commit to preserving Salisbury as a great historic city. We honor our past through historic preservation, while strategically planning for a future that embraces technology, growth and sustainability. We will

continue to invest our resources wisely to ensure that Salisbury is a place where future generations want to live, work, learn, and play.

2.3 MISSION, VISION AND CORE VALUES

MISSION

To enhance Salisbury's status as a Great HISTORIC CITY that provides a safe, livable environment for present and future generations with a focus on:

- Culture of Excellent Customer Service
- Excellent Quality Services for All Citizens
- Honesty and Integrity
- Inclusion and Diversity (in all municipal activities)
- Fairness and Equality
- Commitment to a Team of Creative Problem Solvers
- Partnership with Community Organizations

VISION

- To complete all strategic plans successfully and effectively
- To remain a livable community- with our own identity and sustainable growth
- To be a model of neighborhood revitalization- using a holistic approach with quality facilities and services
- To be a city and an organization which is free of discrimination and is inclusive
- To be a place where children choose to return to live when they become adults- a place with a future, where things are done right
- To be a city that promotes a positive business climate and economic opportunities for its citizens

CORE VALUES

- Culture of Excellent Customer Service
- Quality Services for All Citizens
- Honesty and Integrity
- Inclusion and Diversity (In all municipal activities)
- Fairness and Equality
- Commitment to a Team of Creative Problem Solvers

2.4 ORGANIZATION

The City of Salisbury is governed by a City Council. The City Manager serves as chief personnel officer and administers directly, or through delegation of authority to others, the personnel policies and procedures of the City, which are specified herein. The Human Resources Department and all supervisors and managers share responsibility for personnel matters.

TITLES/LEVELS OF MANAGEMENT

The titles and levels that make up the basic structure of City Management are:

City Manager

Assistant City Manager

Department Head/Director

Division Manager

Supervisor

2.5 ORGANIZATION FACILITIES

The primary unit of the City's structure is the Department. Departments are as listed:

Administration	Broadband Services	Communications
Community Planning Services	Engineering	Financial & Business Services
Fire	Human Resources	Parks & Recreation
Police	Public Services	Salisbury - Rowan Utilities
Transit		

2.6 REVISIONS TO MANUAL

The City devised this Employee Manual to keep you informed of various aspects of your employment, including City of Salisbury policies and procedures. This Employee Manual and the provisions herein replace all prior versions of the manual.

The Employee Manual is not a contract. The City of Salisbury reserves the right to revise, add, or delete from this manual as it determines to be in its best interest. When changes are made to the policies and guidelines contained herein, we will endeavor to communicate them in a timely fashion. The Human Resources Department will issue revisions from time to time as needed. The City Manager is the final authority for all expectations and interpretations of policy. Departmental Policy Manuals approved by the City Manager may override but not be inconsistent with the purpose of this manual. All users of this manual are invited to make known any questions they may have in its application and any ideas or suggestions they may have for its improvement.

3.0 HIRING AND ORIENTATION POLICIES

3.1 EEO POLICY

Equal Opportunity Statement

The City of Salisbury is committed to equal employment opportunity for all applicants and employees in all aspects of employment including, but not limited to, recruiting, hiring, placement, transfer, training, promotion, rates of pay and other compensation, termination and all other terms, conditions and privileges of employment. We are committed to complying with all federal, state, and local laws providing Equal Employment Opportunities, and all other employment laws and regulations. We will not tolerate harassment or discrimination in the workplace because of sex, race, religion, color, national origin, physical or mental disability, genetic information, marital status, age, sexual orientation, gender identity, military service, veteran status, or any other status protected by federal, state or local laws. All City employees are responsible for upholding this policy.

The City encourages any employee to come forward if he/she believes this policy has been violated and report such violation to either the employee's immediate supervisor or Human Resources personnel. The City will conduct a prompt and thorough investigation of all complaints and do so in a confidential manner to the extent possible. The City will take appropriate corrective action, if and where warranted.

The City prohibits retaliation against any employee who provides information or assists in the investigation of any complaint of discrimination or violation of the City's Equal Employment Opportunity Policy.

3.2 HARASSMENT POLICY

Workplace Harassment Policy

The City of Salisbury recognizes that employees are its most important asset, and that a place of employment safe from violence is fundamental to the health and well-being of our employees. The City of Salisbury has a strict policy against all types of workplace violence, including sexual harassment and other forms of workplace harassment based upon an individual's sex, race, religion, color, national origin, physical or mental disability, marital status, age, sexual orientation, sexual identity or any other status protected by federal, state or local laws. All forms of harassment of or by employees, vendors, visitors, customers, and clients are strictly prohibited and will not be tolerated.

Reporting Workplace Harassment

Any City employee who experiences or witnesses any acts, conduct, behavior, or communications which violate the Workplace Harassment Policy must immediately contact his or her immediate supervisor, and/or a member of Human Resources. In the event of actual or threatened violence, an employee should immediately seek assistance from his/her supervisor or a member of management and not try to handle the incident on their own. Concurrent with the initiation of any investigation leading to a proposed disciplinary action, the department head shall report the incidents of threats or acts of physical violence to the Human Resources Department.

(See Appendix for Complaint Form)

Sexual Harassment Policy

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment (2) submission to, or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

While it is not possible to identify each and every act that constitutes or may constitute sexual harassment, the following are some examples: (a) unwelcome requests for sexual favors; (b) lewd or derogatory comments or jokes; (c) comments regarding sexual behavior or the body of another employee; (d) sexual innuendo and other vocal activity such as catcalls or whistles; (e) obscene letters, notes, emails, invitations, photographs, cartoons, articles, or other written or pictorial materials of a sexual nature; (f) repeated requests for dates after being informed that interest is unwelcome; (g) offering or providing favors or employment benefits such as promotions, favorable evaluations, favorable assigned duties or shifts, etc., in exchange for sexual favors; and (h) any unwanted physical touching or assaults, or blocking or impeding movements. Sexual harassment is unacceptable misconduct which affects both genders.

Furthermore, retaliating against an employee for refusing a sexual advance or reporting an incident of possible sexual harassment to City of Salisbury or any government agency is strictly forbidden.

Other Workplace Harassment

Other workplace harassment is verbal or physical conduct that insults or shows hostility or aversion towards an individual because of the individual's race, religion, color, national origin, physical or mental disability, marital status, age, sexual orientation, gender identity or any other status protected by federal, state or local laws, and that: (1) contributes to or has the effect of creating an intimidating, hostile or offensive working environment; (2) unreasonably interferes with an individual's work performance; or (3) otherwise adversely affects an individual's employment opportunities.

Again, while it is not possible to list all the circumstances that constitute other forms of workplace harassment, the following are some examples of conduct that may constitute workplace harassment: (a) the use of disparaging or abusive words or phrases, slurs, negative stereotyping, or threatening, intimidating or hostile acts; (b) written or graphic material that insults, stereotypes or shows aversion or hostility towards an individual or group because of one of the above protected categories and that is placed on walls, bulletin boards, email, voicemail or elsewhere on the City of Salisbury premises, or circulated in the workplace; and (c) a display of symbols, slogans or items that are associated with hate or intolerance towards any group.

Again, the City strictly prohibits retaliation against an employee for reporting an incident of possible harassment to any City supervisor, manager, or Human Resources personnel, or any government agency.

Discrimination and harassment will not be tolerated in the workplace. Any employee who feels that he or she has witnessed, or been subject to, any form of discrimination or harassment is required to immediately notify his/her supervisor, Human Resources Director, or other manager of the organization.

City of Salisbury prohibits retaliation against any employee who complains about or reports harassment to either the City or any government agency, or otherwise assists in the investigation of any complaint of harassment or discrimination.

We will promptly and thoroughly investigate any claim and take appropriate corrective action where we find that harassment or discrimination occurred. Discipline for violation of this policy may include, but is not limited to reprimand, suspension, demotion, transfer, and discharge. The City will follow up as necessary to ensure the inappropriate behavior has stopped and there is no retaliation for making a complaint or cooperating with an investigation.

3.3 DISABILITY ACCOMMODATION

The City of Salisbury complies with federal and state disability laws, including the Americans with Disabilities Act (ADA). Qualified applicants or employees who have a physical or mental disability which requires accommodation in order for them to perform the essential functions of their jobs should inform Human Resources or their immediate supervisor so that we can together discuss what accommodations may be available and appropriate.

Procedure for reasonable accommodation requests:

- Employee advises Human Resources or supervisor of the need for accommodation. Employee completes a Request for Accommodation form and gives it to Human Resources.
- The accommodation request will be discussed with the employee, the employee's supervisor/manager and Human Resources to determine whether the City can grant the request or whether an alternative accommodation may be available.
- The City will make every attempt to provide a reasonable accommodation, unless such accommodation creates an undue hardship on the City.
- No employee will be retaliated against because he or she requests an accommodation.

(See Appendix for Accommodation Form)

3.4 RELIGIOUS ACCOMMODATION

The City of Salisbury is dedicated to treating the religious diversity of all our employees equally and with respect. Employees may request an accommodation when their religious beliefs cause a deviation from City of Salisbury's dress code, schedule, basic job duties, or other aspects of employment. Employees should submit accommodation requests to Human Resources. The City will consider the request but reserves the right to offer its own accommodation to the extent permitted by law or deny a request that creates an undue burden for the City. Accommodations may include but are not limited to changes in current job conditions, a change in position, an exception to the dress code, paid/unpaid leave time, etc. The City will not retaliate against an employee who requests an accommodation of his or her religious beliefs.

(See Appendix for Religious Accommodation Request Form)

3.5 POSTING AND SCREENING OF OPENINGS

Staffing will usually be accomplished according to the following:

Position authorization: The workforce is authorized each year during the budgeting process. Exceptions to this are made only with the City Manager's approval.

Job Opening: Department Head requests staffing from the Human Resources Department based on a vacancy.

Qualifications Determined: The Human Resources Director and the Department Head or Division Manager mutually establish the required candidate qualifications using the existing classification specification.

Scope of Search: The Human Resources Director and the Department Head or designee decide whether to:

- Advertise the job opening internally; or
- Advertise/announce the job opening internally and externally based on the needs of the department.

Candidate Screening: Human Resources staff screen candidates who meet the minimum qualifications. Screening includes the following: background investigation, driving record check, work history, criminal record, license check, educational degree(s), certification(s), and others in accordance with federal, state and local law:

Selection: The Department Head or designee will evaluate all pre-screened candidates based on interviews and/or other assessment tools as approved by the Human Resources Director and recommend selection.

Approval: Department Head approves the selection and coordinates the job offer.

In addition, the City may require a post-offer, pre-employment physical examination to assess the candidate's ability to meet the physical and mental demands of the job. In all instances, the City will require new employees to undergo and pass a pre-employment drug test.

Placement: The Human Resources Department coordinates the timing and announcement of the placement.

3.6 CONFLICTS OF INTEREST

Any actual or potential conflict of interest between an employee of the City of Salisbury and a competitor, supplier, distributor, or contractor to the City of Salisbury, must be disclosed by the employee to Human Resources. If an actual or potential conflict of interest is determined to exist, the City of Salisbury will take such steps as it deems necessary to reduce or eliminate this conflict.

3.7 NEPOTISM AND ROMANTIC RELATIONSHIP POLICY

In order to promote equal opportunity in employment for all qualified individuals, no two members of an immediate family, including domestic partners, shall be employed within the same department of the City of Salisbury. Immediate family is defined as spouse, mother, father, guardian, children, sister, brother, plus various combinations of half, step, in-law, and adopted relationships that can be derived from those names.

Family members of employees who are assigned to any of the following departments cannot work for the City: Administration, Human Resources, Information Technology and the Financial and Business Services Department. Family members employed prior to June 1, 2012 are exempt from this policy. Likewise, no immediate family members of current City Council officials may be hired by the City.

Exceptions to this policy will apply only under extenuating circumstances or staff shortages as defined and/or approved by the City Manager or his/her designee.

In addition, no supervisor or manager shall engage in a romantic, dating, or physical relationship with a subordinate in his or her own department. The City also prohibits any employee assigned to Administration, Human Resources, Information Technology and the Financial and Business Services Department from engaging in romantic, dating or physical relationships with any other City employee.

Employees who are not in a supervisory or managerial position and are engaged in a romantic, dating, or physical relationship may be required to sign the City's Relationship Agreement. **Revised 2/8/18**

3.8 JOB DESCRIPTIONS

The City of Salisbury attempts to maintain a job description for each position. If you do not have a copy of your current job description you should request one from your Supervisor. Job descriptions prepared by the City of Salisbury serve as an outline only. Due to the needs of business, you may be required to perform job duties not within your written job description. Furthermore, the City of Salisbury may have to revise, add to, or delete from your job duties according to the organization's

needs. On occasion, the City of Salisbury may need to revise job descriptions with or without prior notice to the employee.

If you have any questions regarding your job description, or the scope of your duties, please speak with your Supervisor or Human Resources.

3.9 NEW EMPLOYEES AND ORIENTATION PERIOD

The first six months of your employment is considered an orientation period. During this period you will become familiar with the City of Salisbury and your job responsibilities. Each employee is required to attend the New Employee Orientation Training with Human Resources and acknowledge receipt and review of this Employee Manual. During the Orientation Period we will have the opportunity to monitor the quality and value of your performance and make any necessary adjustments in your job description or responsibilities. If, at the completion of this orientation period, we believe that the quality and value of your performance merits your continued employment a 5% pay increase is granted, effective the first payday of the seventh month of employment for regular employees (six months orientation period) or in the thirteenth month of employment for Police or Fire personnel (twelve month orientation period). Nothing that occurs during or after this period should be construed to change the nature of the "at-will" employment relationship.

3.10 TRAINING PROGRAM

In most cases, and for most departments, employee training is done on an individual basis by the department manager. Even if an employee has had previous experience in his/her specified functions, it is necessary for him/her to learn our specific procedures, as well as the responsibilities of the specific position. If you ever feel you require additional training, please consult your supervisor. For the continued effectiveness of all City operations, employees are expected to participate in various kinds of informal training exercises, short duration seminars and formal classroom experiences. Training will be provided at City expense, usually during work hours, as needed to maintain and improve job performance.

3.11 PROOF OF CITIZENSHIP AND RIGHT TO WORK

All new hires and current employees are required by federal law to verify their identity and eligibility to work in the United States. You will be required to complete federal Form I-9 on the first day of employment. If this form and verification of employment eligibility is not completed during the first three days of employment, we are required by law to terminate your employment. If you are currently employed and have not complied with this requirement, or if your status has changed, please inform your Supervisor.

4.0 WAGE AND HOUR POLICIES

4.1 FAIR LABOR STANDARDS ACT

The City's pay practices are established in accordance with the federal Fair Labor Standards Act (FLSA) and relevant state law. The Human Resources Director is responsible for determining how

FLSA applies to City employees, positions that may be exempt from overtime, and how overtime is to be computed and paid for various work schedules. An employee's pay depends on a wide range of factors including pay scale surveys, individual effort, profits, and market forces. If you have any questions about your compensation, including matters such as paid time off, commissions, overtime, benefits, or paycheck deductions, please speak with your supervisor or Human Resources.

Non-Exempt Employees

Most City employees are paid on an hourly basis and are not exempt from the FLSA. Non-exempt employees will be paid compensated at one and one half times their hourly rate for hours worked over forty (40) hours in a week. Public Safety, Police and Fire, are subject to the 207k exemption under the FLSA.

Holidays, vacation days, and sick leave days do not count as time worked for computing overtime.

Exempt Employees

Executive, administrative, and professional employees are classified as exempt from the overtime requirements of the FLSA and are not entitled to overtime pay for hours worked in excess of forty (40) in a work week. As a general rule, exempt employees are paid a pre-determined salary for any work week in which they perform work or the number of hours worked during that work week. However, an employee need not be paid for any work week in which he/she performs no work.

The City may suspend an employee without pay, for any amount of time, without affecting the employee's exempt status, for violation of safety rules of major significance to the City. Such violation would include a safety or health standard directly applicable to the City's business or the violation of which would or could result in a serious citation under the Occupational Safety and Health Act (OSHA).

The City may suspend an employee without pay, for one or more full days, for serious workplace misconduct in violation of the City's standards of conduct, including, but not limited to, violations of the City's anti-discrimination, sexual harassment, workplace violence, and drug and alcohol policies.

The City is not required to pay the full salary of an exempt employee in his/her initial or terminal weeks of employment if that employee does not work for the entirety of those weeks. The City will pro-rate the employee's salary, in these weeks, in proportion to the days (or time) worked.

The City may deduct from an exempt employee's weekly salary for time that the employee takes as unpaid leave under the Family and Medical Leave Act (FMLA) (whether it is a full-time leave, or intermittent leave or reduced scheduled leave). Employees should review the City's FMLA Policy for further information about such leaves of absence.

The City will deduct partial or full day absences due to personal reasons, sickness or disability from an exempt employee's vacation or sick leave accrual.

4.2 PAY PERIOD

The standard pay period is bi-weekly for all employees. Special provisions may be required from time to time if holidays fall on payroll dates.

Any employee entitled to earn a commission will be paid pursuant to the department's commission plan.

4.3 PAYROLL DEDUCTIONS

The City will make deductions from your pay as mandated by federal or state law and as employees may elect, including, but not limited to the following: federal income tax, state income and unemployment tax, FICA contributions (Social Security and Medicare), premiums for City-sponsored Health Insurance, Deferred Compensation, 401(k) loan payments and savings, premiums for City-sponsored life insurance, payments to the North Carolina Local Governmental Retirement System (defined benefit), garnishments by order of a court competent jurisdiction, Section 125 Medical and Dependent care reimbursements and payments to the North Carolina Local Governmental Employee's Credit Union, North Carolina State Employees' Credit Union and United Way contributions.

The amount of your tax deductions will depend on your earnings and the number of exemptions you list on your W4 Form. If at any time you do not believe that your paycheck is accurate, please contact the payroll office.

4.4 DIRECT DEPOSIT

The City requires that an employee's net biweekly pay be directly deposited to an employee's account with a single financial institution of the employee's choice. Typically, the bank will begin the direct deposit of your payroll within 30 calendar days after you submit your completed application.

The City will provide you with a written explanation of your deductions on paydays in lieu of a check.

4.5 RECORDING TIME

Federal and state laws require us to keep accurate records of hours worked by non-exempt (hourly) employees. Non-exempt employees are required to report in no more than five minutes ahead of time and report out no later than five minutes after your quitting time. Every non-exempt employee of the City of Salisbury is required to enter his/her hours worked accurately, including all lunch periods and any rest periods of more than 10 minutes. Employees are required to notify the City of any pay discrepancies, unrecorded or misreported work hours, or any involuntary missed meal or break periods.

Exempt employees must record time taken for sick, vacation, holiday, or other leave.

Do not complete the time sheet of any other employee or request that he/she do so for you. Please be sure to indicate your days off. Any changes to your time card must be approved and initialized by

your Supervisor. ***Intentional Falsification of time records or recording time for another employee may result in discipline, up to and including termination of employment.***

4.6 OVERTIME / NON-EXEMPT EMPLOYEES

At certain times the City may require you to work overtime. We will attempt to give as much notice as possible when overtime is required and to offer overtime opportunities to all employees to the extent possible. The Department Head must approve all requests for overtime in advance. Failure to work overtime when requested or working unauthorized overtime may result in discipline, up to and including termination of employment.

4.7 CALL BACK POLICY

The City of Salisbury provides around-the-clock services to its citizens. Accordingly, certain employees are required to be “on-call” periodically in the event of an emergency. Employees scheduled for on-call must adhere to the following guidelines:

All employees who are included in the on-call rotation must have their home and cell phone numbers on record with their supervisor, Division Manager, and Department Head.

Call Back Compensation

Non-exempt employees who are ***subject to call*** (not scheduled, no restriction on their personal activities and low likelihood of having to return to work) will be paid a minimum of two hours’ wages for being called back to work outside of normal working hours. Public Safety, Police and Fire, are subject to the 207k exemption under the FLSA.

- Any hours actually worked in excess of 40 hours will be compensated at one and one half times (overtime).
- Sick, vacation, and holiday hours are not considered to be hours worked for the purposes of calculating overtime.
- Non-exempt employees who are subject to call and are able to resolve a work related issue over the phone may be compensated at 15-minute increments.

Non-exempt employees who are ***scheduled on-call*** (approved in advance by the Supervisor /Manager and Department Head) will receive a stipend for their on-call week and will be paid a minimum of two hours’ wages when called back to work.

- Any hours actually worked in excess of 40 hours will be compensated at one and one half times (overtime).
- Sick, vacation, and holiday hours are not considered to be hours worked for the purposes of calculating overtime.
- On-call schedules will be coordinated by Division Managers, with the approval of the Department Director.

- An employee who is scheduled on-call, but does not respond, will report to the supervisor at the beginning of his/her next shift to discuss the reason for the non-response; if an employee fails to respond, on-call compensation may be forfeited, in addition to any disciplinary action.

In accordance with the FLSA, travel time from the home location to the primary work site is not compensable.

4.8 ATTENDANCE POLICY

Employees are responsible for arranging and conducting their personal affairs and health care in a manner that minimizes their absence from work.

Employees must notify their Supervisor, or phone in to a number designated by their Supervisor, as soon as possible and at least one hour prior to their shift, for each day of absence or each occasion of tardiness. The Supervisor may authorize exceptions to the call-in requirement for an extended absence or in unusual circumstances. If an employee is absent for three entire workdays without notifying the Supervisor (no call/no show), the employee will be considered to have abandoned his or her job and voluntarily resigned.

Absence is defined as any unplanned time off for which the employee was otherwise scheduled to work. Tardiness is defined as being late reporting for work at the start of a scheduled work day, when returning from lunch, or when returning from break.

Employees may be required to provide documentation of any medical or other excuse for being absent or late.

Supervisors have the primary responsibility for:

- Monitoring the attendance of all employees who report to them.
- Determining and recording the excusability of absences and tardiness uniformly as specified in this manual.
- Counseling and disciplining employees who have poor attendance and punctuality.
- Regularly communicating attendance policies, including the necessity of advance notification of absences, to all employees who report to them.

Excused/Unexcused Absences and Tardiness:

Reason/Condition Of Employees Tardiness Or Absence	How Counted and Recorded
Employee was able but did not call	Unexcused, not paid
Absence or tardiness is for one hour or more, employee has accumulated leave time, and reason fulfills leave time criteria	Excused, paid Annual or Sick Leave
Absence or tardiness for reason that fulfills criteria for Sick Leave but employee has exhausted Sick Leave	Excused, paid Annual Leave
Tardiness is for less than one hour but fulfills criteria for Sick Leave	Excused, paid
Tardiness for less than one hour and reason is unavoidable	Excused, paid
Absence or Tardiness is for reason that was avoidable	Unexcused, not paid

- Time not paid must be in increments of fifteen (15) minutes or more.
- Time must be entered correctly.

Disciplinary Action Steps

Employees who have unexcused tardiness and absences will be disciplined in progressive steps as follows:

Combined Number of Unexcused Absences and Tardiness in Prior 12 months	Disciplinary Action Step
2	Record of Discussion - Employee is counseled by supervisor.
3	Written Warning - Employee is provided a written warning stating that attendance needs improvement and that a suspension or dismissal will be considered if poor attendance continues.
4	Suspension or Equivalent Employee is provided a written warning stating that attendance is unsatisfactory. At this step, employee may be suspended without pay for one to five days and is warned that dismissal will be considered if poor attendance continues.
5	Dismissal is considered

4.9 JOB ABANDONMENT

If an employee fails to show up for work or call in with an acceptable reason for the absence for a period of three consecutive days, he/she will be considered to have abandoned his/her job and voluntarily resigned from the City of Salisbury.

4.10 TRAVEL AND EXPENSE REIMBURSEMENT

An employee traveling on official business is expected to exercise the same care in incurring expenses that a prudent person would exercise if traveling on personal business and spending personal funds. Employees should seek the best fares and rates available for commercial airfare, hotel/motel accommodations, rental cars, etc. The City encourages employees to obtain several quotes or estimates of anticipated travel expenses prior to booking travel. Excess costs, circuitous routes, luxury accommodations, and services unnecessary or unjustified in the performance of official business are not acceptable under this standard. The City will reimburse the employee traveling on authorized City business for all legitimate expenses incurred as a result of the travel as authorized per this procedure. Employees will be responsible for unauthorized costs and any additional expenses incurred for personal preference or convenience.

The Department Head is responsible for monitoring the initial need for the travel and the availability of funds, and approving all travel. The same procedures for approval and reporting of travel expenditures apply to both in-town and out-of-town travel.

Before incurring travel or other expenses on behalf of the City, employees must obtain approval from their Department Head or City Manager, as the case may be.

For details, please refer to the **Travel and Expense Reimbursement Policy found in the Appendix**. Willful violations of the Travel and Expense Reimbursement Policy may result in dismissal from City employment or other disciplinary action.

4.11 REST AND MEAL PERIODS

The City strives to provide a safe and healthy work environment and complies with all federal and state regulations regarding rest and meal periods. Your supervisor will advise you of the procedures and schedules for rest and meal breaks. Employees are required to observe scheduled meal and rest periods and to record all time taken for meal breaks and rest periods in excess of ten minutes. If you know in advance that you may not be able to take your scheduled break or meal period, please let your supervisor know; in addition, notify your supervisor at the earliest opportunity if you were unable to or prohibited from taking a rest or meal period.

5.0 PERFORMANCE, COMPENSATION, DISCIPLINE, LAYOFF, AND TERMINATION

5.1 PERFORMANCE EVALUATION

City of Salisbury will make efforts to review your work performance on an annual basis or as business needs dictate. You may specifically request that your supervisor assist you in developing a performance plan at any time.

The performance evaluation process is a means for increasing the quality and value of your work. Your initiative, effort, attitude, job knowledge, and other factors will be addressed. A positive job performance review does not guarantee a pay raise or continued employment. Pay raises and promotions are based on numerous factors, only one of which is job performance. The City's Performance Appraisal system is designated to accomplish the following:

- Improve each individual's job performance and contribution to the City.
- Provide an opportunity for the supervisor and employee to discuss the employee's duties and responsibilities, the related knowledge and skills necessary for successful job performance as well as the City's expectations for the employee.
- Provide employees an opportunity to participate in the joint development of performance goals and personal improvements plans.
- Identify standard for work, recognize outstanding job performance and highlight areas of work that needs improvement.
- Periodically re-evaluate the job duties, objectives and performance expectations and outline specific means to achieve them.

5.2 COMPENSATION

The City's compensation Plan is described in detail in the Compensation/Job Evaluation Study- Final Report and Updates. It is designed to accomplish the following:

- Ensure the City's ability to attract and retain well-qualified personnel.
- Ensure that the City's practices are competitive with those of comparable employers.
- Ensure that each classification is paid fairly in comparison with other City classifications.

When an employee is....	Pay is.....
Moved to a position classified with the same pay range	Not changed
Moved to a position classified with a higher pay range	Increased at least 5% or to the minimum of the new pay range, whichever is higher. Internal equity and employee qualifications will be taken into consideration.
Moved to a position classified with a lower pay range for reasons of job performance or disciplinary action	Decreased 10% or to the maximum of the lower pay range, whichever is lower.
Moved to a position classified with a lower pay range for reasons not related to job performance or disciplinary action	Decreased as determined by a review of the Human Resources Department on a case-by-case basis.

5.3 PROMOTIONS

Promotions are made on an equal opportunity basis according to employees possessing the needed skills, education, experience, and other qualifications that are required for the job. It is the City's policy to promote from within the City whenever possible.

All employees promoted into new job positions (excluding flex positions; going from a level I to a level II or III) will undergo a 90-day evaluation.

Restricted Advancement: For a period of six months following an employee's promotion or first entry into the City's workforce, advancement to a higher level will normally be restricted. Upon recommendation of the Department Head, the City Manager may authorize exceptions to this restriction in the interest of improving City operations.

5.4 SALARY INCREASES

The City will consider granting an increase each year based on available funds. If approved, this payment is made on the 1st payroll during the month of December. Full time employees hired after October 31st are not eligible until he/she has been employed for one full year.

The City will also consider granting a lump sum payment to all active full time employees who have been on payroll prior to January 1st. If approved, this payment is made in December and typically is based on one percent (1%) of the past year's compensation.

5.5 TRANSFER

City of Salisbury may transfer your employment from one position to another with or without notice, as required by production or service needs, or upon request by an employee and management approval. Transfers in excess of 90 days may be considered final and your paycheck may be increased or decreased consistent with the pay scale for your new position.

For a period of six (6) months following an employee's transfer, an employee will be restricted from applying for an open transfer or promotion absent extenuating circumstances, in which case Department Head and Human Resource approval is required.

5.6 WORKFORCE REDUCTIONS (LAYOFFS)

The City recognizes that layoffs or restructuring may be necessary due to shortage of funds or work, program shifts, reorganization or consolidation, or other changes as determined by management. In the event a workforce reduction is necessary, Department Heads will develop and submit a departmental plan to the City Manager, evaluating each position and designating positions to be eliminated. The City will then follow these guidelines to determine which employees will be retained:

- Essentiality of Position
- Education, skills, and abilities necessary to perform the remaining job(s)
- The Employee's Performance
- Length of Continuous Service

Employees occupying positions to be eliminated will be subject to reassignment, transfer, demotion, or layoff/outplacement.

5.7 STANDARDS OF CONDUCT

City of Salisbury wishes to create a work environment that promotes job satisfaction, respect, responsibility, integrity, and value for all of our employees and the community at large. Every employee has a shared responsibility toward improving the quality of our work environment. By deciding to work for the City of Salisbury, you agree to follow the City of Salisbury's rules.

While it is impossible to list every item that could be considered misconduct in the workplace, what is outlined below is a list of common-sense infractions that could result in discipline, up to and including immediate termination of employment. This policy is not intended to limit the City of Salisbury's right to discipline or discharge employees for any reason permitted by law, or to initiate discipline at any step for the examples of infractions listed. In fact, while we value our employees, the City of Salisbury retains the right to terminate an employee on an "at-will" basis.

This list is not intended to be and should not be construed as a comprehensive list. The City reserves the right to issue discipline up to and including termination for instances of misconduct not specified on this list. In addition, and as stated above, the City reserves the right to initiate discipline at any stage, including termination, depending on the circumstances of the offense and prior disciplinary/performance history.

<u>OFFENSE</u>	<u>1ST OFFENSE</u>	<u>2ND OFFENSE</u>	<u>3RD OFFENSE</u>
Attendance:			
• Unauthorized absence	See Section 4.8, Attendance	See Section 4.8, Attendance	See Section 4.8, Attendance
• Repeated unexcused tardiness or • Failure to observe work hours	See Section 4.8, Attendance	See Section 4.8, Attendance	See Section 4.8, Attendance
Criminal Charges			
• Arrest or indictment on felony charges	Written warning to suspension		
• Conviction, plea of guilty, or plea of nolo contendere to a charge of theft, drug laws, sexual misconduct or crime of moral turpitude	Written warning to termination	Termination	
Disclosure of confidential City information/trade secrets	Written warning to Termination	Termination	
Excessive use of work time for personal matters such as telephone calls, emails, internet usage and visitors	Record of Discussion to Written Warning	Written Warning to Suspension	Suspension to Termination
Failure to possess a valid driver's license when required by job duties	Suspension to Termination	Termination	
Failure to wear proper uniform or safety equipment; failure to follow dress code policy	Record of Discussion to Written Warning	Written Warning to Suspension	Suspension to Termination

<u>OFFENSE</u>	<u>1ST OFFENSE</u>	<u>2ND OFFENSE</u>	<u>3RD OFFENSE</u>
Falsification of records, including time records, or willful false statement to supervisors. This includes providing inaccurate, incomplete or misleading information verbally or in writing related to employment or City business	Suspension to Termination	Termination	
Fighting with a fellow employee, vendor, or a member of the community	Suspension to Termination	Termination	
Fraudulent use of sick leave	Written Warning to Termination	Suspension to Termination	Termination
Gambling on City premises	Written Warning	Suspension to Termination	Termination
Horseplay	Written Warning to Termination	Suspension to Termination	Suspension to Termination
Insubordination or disrespectful behavior to a supervisor	Written Warning to Termination	Suspension to Termination	
Interference with work of other employees	Record of Discussion to Written Warning	Written Warning to Suspension	Suspension to Termination
Leaving assigned work area without authorization	Written Warning to Termination	Suspension to Termination	Termination
Lending City keys or keycards to unauthorized persons	Record of Discussion to Termination	Written Warning to Termination	Suspension to Termination
Loitering or loafing	Record of Discussion	Written Warning to Suspension	Termination
Manufacture, possession, purchase, sale, or use of non-prescribed drugs or illegal substances, including marijuana off the job	Suspension to Termination	Termination	
Physical or verbal abuse or harassment of a fellow employee or a citizen of the community	Suspension to Termination	Termination	
Possession of, using, distributing, selling or being under the influence of alcohol, non-prescribed medication or illegal drugs while on City property, in City vehicles, in City uniform or on City business	Termination		
Sexual or other unlawful harassment or sexual misconduct at a City workplace, while on City business or in a City uniform	Written Warning to Termination	Termination	

<u>OFFENSE</u>	<u>1ST OFFENSE</u>	<u>2ND OFFENSE</u>	<u>3RD OFFENSE</u>
Sleeping while on duty	Written Warning to Termination	Termination	
Smoking in an unauthorized area	Record of Discussion	Written Warning	Termination
Stealing	Termination		
Threatening, coercing or intimidating another employee at any time for any purpose	Written Warning to Termination	Termination	
Unauthorized possession of a firearm, illegal weapon, knife having a blade longer than 2 ½ inches, or other potentially dangerous or hazardous property while on duty, at a City function or on City property	Termination		
Unauthorized possession, use or removal of City property	Written Warning to Termination	Termination	
Unauthorized posting or distribution of any materials or solicitation on City property	Record of Discussion to Written Warning	Written Warning to Termination	
Unauthorized recording of conversations in the workplace or video recording of other City employees	Termination		
Use of vulgar, profane, obscene or abusive language	Record of Discussion to Suspension	Suspension to Termination	Termination
Violation of City parking regulation	Record of Discussion	Written Warning	Suspension to Termination
Violation of City policies or procedures	Record of Discussion to Termination	Written Warning to Termination	Suspension to Termination
Violation of safety rules, negligence or engaging in unsafe activities	Written Warning to Suspension	Suspension to Termination	Termination
Willful damage to, destruction or misuse of City property	Suspension to Termination	Termination	
Working unauthorized overtime	Record of Discussion	Written Warning	Suspension to Termination

Nothing in this policy is intended to limit employee rights under the National Labor Relations Act. Failure to comply with this policy can result in disciplinary action, up to and including immediate termination of employment.

5.8 CRIMINAL ACTIVITY; ARRESTS

Involvement in criminal activity, whether on or off the City's property, may result in disciplinary action including suspension or termination of employment. Disciplinary action depends upon a review of all factors involved, including whether or not the employee's action was work-related, the nature of the act, or circumstances which adversely affect attendance or performance. Any disciplinary action is not dependent upon the disposition of any case in court.

Employees are expected to be on the job, ready to work, when scheduled. Inability to report to work as scheduled as a result of an arrest may lead to disciplinary action, up to and including termination of employment, for violation of the attendance policy or job abandonment.

The City will take disciplinary action based on information reasonably available. This information may come from witnesses, police, or any other source as long as management has reason to view the source as credible.

5.9 DRUG AND ALCOHOL POLICY

The City of Salisbury considers drug and alcohol abuse a serious matter which will not be tolerated. The City absolutely prohibits employees from using, selling, possessing, or being under the influence of illegal drugs, alcohol, or a controlled substance or prescription drug not medically authorized while at their job, on City property, or while on work time.

Therefore, it is the City's policy that an employee shall:

1. Not report to work or be subject to duty while his/her ability to perform job duties is impaired due to alcohol or drug use which occurred on or off duty.
2. Not possess or use drugs or alcohol, or have the odor of alcohol or drugs on his/her breath or person, during working hours, on breaks, during meal periods while on City property, while on the job or while operating any City equipment or vehicles.
3. Not directly or through a third party sell, distribute, or provide drugs or alcohol to any person or to any other employee while either employee or both employees are on duty, "on call", in uniform, on City property, or operating City equipment.
4. Submit immediately to a reasonable request for testing by a supervisor or other City representative based on one of the reasons set forth below. Refusal shall constitute insubordination and will normally result in immediate dismissal.
5. Notify his/her supervisor, before beginning work, when taking any medications or drugs, prescription or non-prescription, which may interfere with the safe and effective performance of duties or operation of City equipment.
6. Provide, within 24 hours of request, a current valid prescription for any drug or medication identified when a drug screen/analysis is positive. The prescription must be in the employee's name.

7. Notify the Salisbury Police Department and Risk Management, or police department in the local jurisdiction, of any accidents and/or property damage in a City vehicle and notify the supervisor of any type of accident and/or property damage.

Failure to comply with these responsibilities or any other reasonable request by a Supervisor or other City representative may result in immediate disciplinary action.

Supervisory Responsibilities

Supervisors shall:

1. Disseminate this drug and alcohol policy and any subsequent revisions to all subordinates.
2. Attend and utilize all scheduled training regarding this policy.
3. Comply with this policy and enforce it consistently.
4. Prevent any employee reasonably believed to be under the influence of drugs or alcohol from working and arrange for testing if appropriate.
5. Upon an employee's refusal to submit testing, remind the employee that testing is mandatory and that refusal to participate is insubordination and will normally result in dismissal.
6. Arrange for escort and transportation of employee to a testing facility. Instruct an employee believed to be under the influence of drugs or alcohol to wait for a reasonable time before attempting travel without assistance or arrange for transportation if necessary.
7. Inform the Salisbury Police Department, Human Resources and Risk Management if they have reasonable suspicion that an employee is in possession of illegal drugs.
8. Inform any employee experiencing unexplained changes in work performance or behavior of the availability of assistance through Employee Assistance Program (EAP).

Basis for testing:

Mandatory and random testing of employees- The City will use mandatory or random testing only to the extent that the City is required by law, or in order to comply with the recommendations or requirements of professional "standards" group such as the North Carolina Criminal Justice Training and Standards Commission or the National Fire Protection Association (NFPA).

To comply with the U.S. Department of Transportation requirements and City policy, unannounced drug tests will be given to a predetermined percentage of safety sensitive employees which will include drivers with a commercial driver's license (CDL). The Human Resources Department will inform supervisors and employees when to go for random testing.

Post-Accident- This test will be given immediately to any City employee involved in an accident, which is defined as either causing an accident or being injured in an accident, in the following circumstances: (1) when the controlled substance test is conducted pursuant to state or federal law; or (2) where there is a reasonable possibility that employee drug or alcohol use could have contributed to the accident or injury. For the purposes of this policy, "injured" is defined as requiring medical attention more extensive than minor first aid administered on-site or losing time from work

to recover from the injury. In addition, the testing requirement is mandatory for all City employees involved in an accident while driving a City vehicle where the police report determines the City employee was at fault or property damage exceeds \$100. Supervisors are responsible to make all reasonable efforts to assure that the employee undergoes post-accident testing.

Reasonable Suspicion-The City will require testing of any employee or applicant based on abnormal actions sufficient to cause reasonable suspicion that he/she has violated this policy. Supervisors must document reasonable suspicion within 24 hours using the form provided. All reasonable suspicion testing must be cleared through the Human Resources Department whenever possible.

Violation- A violation of this policy will result in disciplinary action up to and including termination of employment. The refusal to submit to a drug or alcohol test as provided for in this policy, or refusal to sign a consent form will, under most circumstances, result in termination of employment.

EMPLOYEE ASSISTANCE PROGRAM

In cases where an employee announces he/she has a substance abuse problem, the employee will be referred to the Employee Assistance Program (EAP) for evaluation, referral, and treatment. If it is determined that the employee requires rehabilitation, the EAP will assist in selecting a program of rehabilitation for the employee. The employee may use accumulated sick leave while participating or will be granted leave without pay (LWOP). In either case, sick leave and LWOP separately or in combination may not exceed 90 days without an extension approved by the City Manager or his designee. Reinstatement may be contingent upon certification by the treatment provider that the employee has successfully completed the initial structured treatment program.

Return from Leave- Employees in a safety sensitive position who are out for 90 days or more are subject to drug testing prior to returning to work.

Follow-up testing- Under Department of Transportation regulations and City Policy, if an employee is allowed to return to duty following referral, evaluation, and treatment, a minimum of 6 unannounced alcohol and/or drug tests will be required during the next 12 months of employment. Follow-up testing may continue for up to 6 months following return to duty at the City's discretion, based on recommendations from the EAP.

For details please refer to the Drug Testing Policy found in the Appendix.

5.10 DISCIPLINARY PROCESS

Violation of City policies or procedures may result in disciplinary action including record of discussion, written warnings, demotion, transfer, suspension, or termination of employment. The City encourages a system of progressive discipline depending on the type of prohibited conduct. However, the City is not required to engage in progressive discipline and may discipline or terminate an employee where he or she violates the Standards of Conduct, or where the quality or value of the employee's work fails to meet expectations at any time. Again, any attempt at progressive discipline does not imply that your employment is anything other than on an "at will" basis.

In appropriate circumstances, management will provide the employee first with a record of discussion, then with a written warning, and if the conduct is not sufficiently altered, eventual demotion, transfer, suspension, or termination of employment. However, discipline may be initiated with any of these actions. Your supervisor will make every effort possible to allow you to respond to any disciplinary action taken. Understand that while the City of Salisbury is concerned with consistent enforcement of our policies, the City is not obligated to follow any disciplinary or grievance procedure and that depending on the circumstances, employees may be disciplined or terminated without any prior warning or procedure.

5.11 PROBLEM SOLVING PROCEDURE

We strive to provide a comfortable, productive, legal, and ethical work environment. To this end, the City of Salisbury wants you to bring any problems or concerns you have about the work place to the attention of your supervisor or, if necessary, to Human Resources. The types of problems or concerns that you might utilize the problem solving procedure for include, but are not limited to, the following:

- Discrimination based on age, sex, race, color, national origin, religion, creed, political affiliation, sexual orientation, gender identity, or disability in the denial of promotion, training, transfer, demotion, termination, or reduction in force
- Retaliation against an employee (denial of employment, promotion, training, transfer, or equal opportunity for compensation, or discrimination when an employee is subjected to demotion, reduction in force, transfer, or termination)
- Unlawful workplace harassment based upon age, sex, race, color, national origin, religion, creed, sexual orientation, gender identity, or disability, including both quid pro quo and hostile work environment
- Any retaliatory personnel action for reporting improper government activities ("whistle blower")
- Violation of Title VII, the FLSA, Age Discrimination in Employment Act, Family and Medical Leave Act (FMLA), or Americans with Disabilities Act (ADA)
- Any management or Human Resources referral to the Employee Assistance Program

If you believe there is inappropriate conduct or activity on the part of the City, management, its employees, vendors, customers, or any other persons or entities related to the City of Salisbury, bring your concerns to the attention of your supervisor at a time and place that will allow the supervisor to properly listen to your concern. Most problems can be resolved informally through dialogue between you and your immediate supervisor. If you have discussed this matter with your supervisor before and do not believe you have received a sufficient response, or if you believe your supervisor is the source of the problem, present your concerns to Human Resources. Please indicate what the problem is, those persons involved in the problem, efforts you have made to resolve the problem, and any suggested solution you may have.

(See Appendix for the Employee Concern Form)

You may also call the Fraud Hotline at any time (704) 216- 7534

5.12 GRIEVANCE POLICY

The City offers regular full-time and part-time employees, except the City Manager, a process through which they can seek to resolve grievances in a fair and equitable manner, without an employee fearing discrimination, coercion, retaliation, restraint, and reprisal, for a more effective employer/employee relationship that is in the best interest of all affected. Employees in their orientation period and temporary employees are not covered by this policy.

Outside representatives, including legal counsel, are not allowed to be present during the Grievance Process.

The following are objectives of the City's grievance procedure:

- Assure employees of a way in which they can get their problems or complaints heard and, if possible, resolved
- Encourage the employee to express himself/herself about how the conditions of work affect him/her as an employee
- Foster better employee understanding of policies, practices, and procedures
- Provide employees with assurance that actions are taken in accordance with policies
- Ensure that City policies are carried out

Coverage and Applicability

An employee may file a grievance with regard to any of the following:

- Dismissal notice
- Denial of promotion where it is alleged that the selection was not from among the most qualified persons
- Denial of veteran's preference regarding initial employment and other employment events including promotions, reassignments, and transfers
- Denial of request to remove inaccurate or misleading information from personnel file
- Any disciplinary action, including record of discussion, written warning or suspension.
- Work Schedule assignment
- Performance Evaluation comments or rating, except when it is a performance pay dispute (a grievance regarding a pay dispute should be filed directly with the Human Resources Department)
- Denial of any secondary or dual employment request.
- Denial of any request for the advancement of leave.

Subjects for which grievances may not be filed include but are not limited to:

- Position Classification
- Position in assignment in terms of duties and responsibilities or organization
- Duty station assignment
- Salary administration except in manners where unlawful discrimination is alleged

- Denial of participation in the Voluntary Shared Leave program
- Any requirement to use technology for work efficiency and effectiveness
- Mission of the Department or any sub-unit's mission of the Department
- Any program function of the Department
- Any standard of service
- Any Department budget decision

Grievance Procedure:

All grievable disputes as defined in the preceding sections will be administered in the specific manner below and processed within the City time limits unless a time extension is necessary due to unusual circumstances or the need of further investigations as determined by the Supervisor, Department Head or City Manager. Failure by the employee to process a grievance within the stated time limit or time extension shall constitute termination of the grievance.

At each step of the grievance process, where written documentation is required, the Human Resources Director shall receive a copy to retain. In a department where the Department Head is the immediate Supervisor, Step 2 shall be omitted and the appeal process shall proceed to Step 3. In a department where there is more than one supervisory level, supplemental policies developed by the Department Heads may alter the process between immediate Supervisor and the Department Head.

Step 1- The employee shall first present his/her grievance in writing to the immediate Supervisor within seven (7) business days of its occurrence or within seven (7) business days of the time the employee learns of its occurrence, with the objective of resolving the matter informally.

The Supervisor shall respond to the aggrieved employee within seven (7) business days after receipt of grievance; the response shall be in writing and signed by the immediate Supervisor. The employee shall sign a copy of the decision to acknowledge receipt and date of receipt. The Supervisor is encouraged to consult with any employee to obtain information deemed necessary to reach an impartial decision.

Step 2- If the grievance is not resolved to the satisfaction of the employee during Step 1, the employee may file the grievance in writing with the Department Head (except when the Supervisor in Step 1 is the Department Head, in which case, the Human Resources Director) within seven (7) business days of receipt of the Supervisor's written decision. The grievance shall state the basis of the complaint. The Department Head shall meet with the employee within seven (7) business days of receipt of the Step 2 grievance, review the decision made at Step 1, and make an independent determination of the merits of the grievance. The Department Head shall issue a written decision to the employee within seven (7) business days. The Department Head shall send a copy of the decision to the Human Resources Director, signed and dated by the employee to acknowledge receipt of the response.

Step 3- If the grievance is not resolved to the satisfaction of the employee during Step 2, the employee may appeal by giving written notice to the Human Resources Director within seven (7)

business days after receipt of the Step 2 decision. The Human Resources Director shall issue a written decision to the employee within (7) business days. The Department Head shall receive a copy of the decision made by the Human Resources Director, signed and dated by the employee to acknowledge receipt of the response.

Step 4- If a grievance is not resolved to the satisfaction of the employee during Step 3, The Human Resources Director shall forward all documentation received relating to the grievance to the City Manager. Should the City Manager choose to conduct a fact-finding hearing, he/she will notify the employee in writing of his/her decision to conduct a fact-finding hearing within seven (7) business days. Should the City Manager choose not to conduct a fact-finding hearing, he/she will review the documentation and notify the employee in writing of his/her decision within fourteen (14) business days.

If a fact-finding hearing is held, the City Manager will notify the employee of his/her final decision regarding their grievance within seven (7) business days of the hearing. The employee shall sign and date a copy of the City Manager's response to acknowledge receipt. The decision of the City Manager shall be conclusive and final, and there shall be no further appeal.

(See Appendix for the Employee Grievance Form)

Revised 2/8/18

5.13 SECONDARY EMPLOYMENT

Your employment with the City is considered your primary employment. The City of Salisbury recognizes that employees may seek additional employment during off hours, but expects, in these cases, that any outside employment will not affect job performance, work hours, scheduling, or otherwise adversely affect the employment relationship. Full-time employees who wish to engage in secondary employment must receive prior approval from their supervisor. Secondary employment which creates a conflict of interest or which affects the quality or value of your work performance or availability at the City is prohibited. Any conflicts should be reported to your supervisor. Failure to adhere to this policy may result in discipline up to and including termination. (See Appendix for the Request for Approval of Secondary Employment Form)

5.14 EXIT INTERVIEW

You may be asked to participate in an exit interview when you leave the City. The purpose of the exit interview is to provide management with greater insight into employee relations and to avoid unnecessary employee claims. Your cooperation in the exit interview process is appreciated.

5.15 POST-EMPLOYMENT REFERENCE POLICY

The City of Salisbury policy is to provide prospective employers with dates of employment, job title, and compensation. Please direct all requests for employment verification to Human Resources.

In rare instances where a former employee must provide a prospective employer with additional information by way of reference, the City requires the former employee to sign a release and waiver form before the City will provide the additional information.

Any Supervisor or Department Head who receives an employment inquiry concerning a current or former employee shall direct those inquiries to Human Resources.

6.0 GENERAL POLICIES

6.1 DRIVING RECORD

All employees required to operate a motor vehicle as part of their employment duties must maintain a valid driver's license and acceptable driving record. It is your responsibility to provide a copy of your current driver's license for your personnel file. Any changes in your driving record (suspension, loss or restrictions), including, but not limited to, driving infractions, must be reported to your immediate supervisor/Department Head and Human Resources. Failure to promptly report the loss of driving privilege will result in discipline up to and including dismissal.

Upon the report of the suspension, loss or restrictions of a driver's license or loss of driving privilege, the Department Head will meet with the employee, review all circumstances surrounding the loss and notify the Risk Manager.

If the employee is charged with DWI and/or an alcohol related offense, which results in loss of the employee's driving privilege for any amount of time, and if driving is an essential function of the employee's job, he/she will be terminated immediately. Should a future judicial decision be rendered exonerating an individual of DWI charges, the individual may request consideration for re-employment.

For any other motor vehicle violations that result in loss of driving privilege, an employee required to drive as an essential function of his/her job will be relieved from duty and will have 90 calendar days to resolve the issue. The employee will be allowed to utilize their accrued vacation during this time.

If the loss of driving privilege is longer than 90 calendar days, including the automatic license revocation period, the employee will be subject to separation from the City.

6.2 USE OF CITY VEHICLES

City vehicles are to be used for City business only. Unless the use of the vehicle has been approved for personal use, personal or outside business use is strictly prohibited.

Drivers of City vehicles are to immediately report all infractions or violations while driving a City vehicle to their supervisor, manager, or Human Resources immediately.

When a City vehicle cannot be operated, is unsafe for use, or has been damaged, notify a supervisor or manager immediately.

The driver of a City vehicle is responsible for the vehicle while in his or her charge and must not permit unauthorized persons to drive it.

The driver is responsible for the daily housekeeping of the vehicle; it is to remain clean and uncluttered. No tobacco use (of any form) is permitted in the vehicle.

No person shall operate a motor vehicle while under the influence of alcohol or a chemical or other substance that can impair judgment.

Multiple driving moving violations that appear on the annual state department of motor vehicle check will result in loss of driving privilege, rights to drive a City vehicle or drive a personal vehicle on City business. Suspension of rights will continue until one (1) year has passed with no infractions. If there are persistent and ongoing problems with driving infractions, and driving a vehicle is a part of successful execution of job responsibilities, termination of employment is possible.

6.3 ACTIVITIES OUTSIDE EMPLOYMENT

Restricted Political Activities

Each employee has a civic responsibility to support good government in every appropriate manner. Each employee may join or affiliate with civic organizations of a partisan nature, may attend political meetings, may advocate and support the principles or policies of civic or political organizations in accordance with the Constitution and laws of the State of North Carolina and in accordance with the Constitution and laws of the United States of America. However, in accordance with §160A-169, certain activities are restricted, and the violation of any of these restrictions may subject an employee to disciplinary action up to and including dismissal.

Restricted activities area:

- Engaging in any political or partisan activity while on duty.
- Using official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office.
- Requiring, as a duty of employment or as a condition of employment, promotion or tenure of office, the contributions of funds or services for political or partisan purpose.
- Coercing or compelling contributions for political or partisan purposes from any other employee of the city.
- Using any supplies or equipment of the City for political or partisan purposes.

The Federal Hatch Act may restrict additional activities. Please see the Human Resources Director with any questions.

6.4 PERSONNEL AND MEDICAL RECORDS

The City of Salisbury maintains a personnel and medical file for every employee. Medical records will be kept in a separate file. Every effort will be made to keep your personnel and medical records confidential. Access is on a "need-to-know" basis only. This includes, but is not limited to supervisors and others in management reviewing the file for possible promotion, transfer or layoff.

If an employee wishes to review his or her personnel or medical file he or she may do so after giving the Human Resources Department reasonable notice. Inspection must occur in the presence of a City representative. All requests by an outside party for information contained in your personnel file will be directed to the Human Resources department, which is the only department authorized to give out such information.

As required by General Statute 160A-168, certain personnel data regarding your employment is a matter of public record and can be accessed by any person according to the following provisions:

- The City will determine in what form the information is maintained and disclosed
- Disclosures will be recorded including the information disclosed and the name and address of person to whom the disclosure was made.
- Record of the disclosure will be made available, upon request, to the employee to whom it pertains.
- Data to be photocopied and the cost assessed to the person examining the records.

All personnel records and data that are not considered public record are confidential and may only be accessed as follows:

- Completion of Authorization to Access Personnel Record form by the employee.
- Employees (or their authorized agent) may examine all of their personnel records except letters of reference solicited prior to employment and any medical records that a prudent physician would not divulge to his patient.
- A licensed physician designated in writing by the employee to examine medical records.
- Supervisors and employees of the City, as may be needed for City business, and as authorized by the Human Resources Director.
- By order of a court of competent jurisdiction or pursuant to a pending legal proceeding.
- A State or Federal government agency as is necessary and essential to a proper function of the agency except that no information may be divulged for the purpose of assisting the criminal prosecution or tax liability investigation of an employee (except for the employee's name, address and telephone number:
- Prospective employers, educational institutions, or other persons as specified in an employee's signed written release that explicitly identifies the information to be.

The Human Resources Department is solely responsible for the retention of authorized personnel records as directed by the City Manager. Any access to, addition of, or destruction of personnel records will be administered by the Human Resources Department.

Department heads may maintain copies of City personnel records and originals of Department personnel records as authorized by the City Manager or the Human Resources Director.

Supervisors are not authorized to possess or maintain any official personnel records except for the following, regarding the employees reporting to them:

- Attendance Records
- Copies of documents related to the most recent changes in employee's salary, employee status of work position.
- Copies of documents related to job performance evaluations in the prior two years.
- Notes and correspondences by the supervisors regarding job performance.
- Data regarding occupational or professional certification.

6.5 EMPLOYEE PRIVACY AND RIGHT TO INSPECT

City property, including but not limited to, lockers, phones, computers, tablets, iPads, desks, work place areas, vehicles, or machinery, remains under the control of the City and is subject to inspection at any time, without notice to the employee, and without the employee's presence. Employees should have no expectation of privacy in any of these areas. We assume no responsibility for the loss of, or damage to, any employee property maintained on the City's premises including that kept in lockers and desks.

The City provides lockers for the personal possessions for some of its employees. These lockers should be maintained in a clean and sanitary condition. As part of the employee's privilege for use of these lockers, employees must agree to allow the City to inspect or otherwise gain access to the locker and its contents at any time, with or without notice to the employee, and without the employee's presence.

The City reserves the right to search City vehicles, City work spaces and other City property. Any illegal object found will be turned over to law enforcement authorities.

6.6 INFORMATION TECHNOLOGY SERVICES (ITS)

The City of Salisbury provides employees with Information Technology Systems Resources to assist employees in performing their jobs. **System Resources** refers to every aspect of the City's electronic computer network, tools and Telecommunication Systems and includes, but is not limited to, host computers or laptops, tablets, wireless access points, servers, applications, databases, cell phones or other communications devices, network infrastructure, software, data files, email system, passwords, licensing, web services, and tools owned by the City and available for official use by City employees. Use of Systems Resources, even when carried out on a privately owned computer or device that is not managed or maintained by the City of Salisbury, is governed by this Policy.

System Resources are the property of the City and may be used only for City business purposes. The City permits incidental personal use of Systems Resources but only to the extent such use does not interfere with an employee's work or compromise the City's Systems Resources. Prohibited uses include, but are not limited to, participating in non-business related on-line auctions, playing games,

sending and receiving jokes, engaging in non-business related on-line chat groups, sending or forwarding mass emails or chain emails, and hosting non-business related information services such as personal file servers or websites.

Employees should have no expectation of privacy in their use of Systems Resources. Information Technology Services (ITS) may monitor Systems Resources and conduct random and requested audits, including, but not limited to, monitoring employee's email or any documents or images saved to a City-issued computer or laptop. ITS reserves the right to retrieve the contents of Systems Resources for legitimate reasons, such as to find lost messages, to comply with investigations of wrongful acts, discovery proceedings in legal actions, to comply with requests as required under public records law, to recover from system failure, and other actions the City deems necessary.

Prohibited Activities

The City prohibits employees from using personal accounts or software licenses for business purposes. Personal accounts include but are not limited to: email, file share, Skype, drop box, and Microsoft. Personal software licenses are any licensed software purchased or acquired by any source other than the City Information Technology Division.

The City prohibits employees from sending material that is fraudulent, harassing, embarrassing, lewd, sexually explicit, profane, obscene, intimidating, threatening or potentially violent, defamatory or otherwise unlawful by e-mail or other form of electronic communication (such as Facebook, bulletin board systems, newsgroups, chat groups), or displaying or storing such material on System Resources. Users encountering or receiving this kind of material should immediately report the incident to their supervisors.

Users may not copy, download, or install any software on City Systems Resources that is not approved by the Information Technology Division. Users may not install or use encryption technologies of any kind on the City's computers without written permission of ITS. Where permission has been given, users may not use passwords or encryption keys that are unknown by their supervisors.

Users may not utilize cloud based storage for any information that is confidential in nature and are discouraged from utilizing cloud based storage for City information of any kind. Examples of cloud based storage include IDrive, Google Drive, OneDrive, DropBox, and Apple iCloud Drive. ITS does not support cloud based storage systems and assumes no risk for loss of information due to their use.

Security and Threat Management

Users are responsible for safe-guarding their passwords for access to system resources.

Users must not leave an active system device or application session unattended. Users must logout, lock or enable a password of some sort.

Users shall not attach any device to the City network without the approval or assistance of ITS.

All City of Salisbury systems are equipped with ITS managed virus protection software. Disabling ITS managed virus software or otherwise altering ITS managed software is prohibited. Each user is

responsible for taking reasonable precautions to ensure he/she does not introduce viruses into the City's network.

Any equipment that is lost, stolen, or damaged must be reported to the user's direct supervisor and the IT division immediately. IT will initiate tracking or remote wipe on lost or stolen devices upon receiving the report.

Employees are liable for all equipment assigned to them and may be billed for any damage or loss due to the employees' negligence.

Every employee is responsible for using System Resources responsibly, professionally, ethically and lawfully. Employees must observe and comply with all other policies and guidelines of the City when using System Resources. Employees must comply with all software licenses; copyrights; all other state, federal, and international laws governing intellectual property and online activities when using System Resources. Violations will be taken seriously and may result in disciplinary action, including termination.

IT performs regular backups of all network resources. All files, emails, and documents that are stored within network resources are retained for a period no shorter than 18 months, regardless of deletion or other form of removal. Information that is used for business purposes must be saved to a network resource. Files saved to an end user device are not protected from deletion, corruption, or theft. Information lost due to a user's negligence could result in disciplinary action.

6.7 SOCIAL MEDIA

The City of Salisbury recognizes that social media has become a common form of communication in the workplace and the community at large. Social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal website, social networking or affinity website, web bulletin board or a chat room.

The City has adopted this Social Media Policy to provide guidance to City of Salisbury employees when using social media in order to prevent violations of existing City policies and protect against inappropriate social media content. Employees who fail to conduct themselves in a manner consistent with this policy are subject to discipline, up to and including termination.

Employee Guidance for Participating In Social Media

- Follow all copyright and privacy protection and disclosure laws that might apply to the City or your functional area.
- Use caution if you choose to cite or post about vendors, suppliers, clients, citizens, co-workers or other stakeholders without their general consent or prior City of Salisbury approval.
- Whenever possible and wherever content deems it appropriate, make it clear you are speaking for yourself and not on behalf of the City. Be mindful of your posts as you represent the City of Salisbury, both on and off the clock. It is recommended that when commenting on City-related posts on non-City platforms or sites, in the spirit of transparency, that you identify yourself as a City employee.
- The City advises that employees use discretion when using social media sites. Remember

that what you write is public, may be public for a long period of time, and may spread to large audiences. Refrain from posting information that you would not want your supervisor or other employees to read or that you would be embarrassed to see in the newspaper or on television.

- The City expects its employees to be truthful, courteous, and respectful toward supervisors, co-workers, citizens, customers, and other persons associated with the City. Employees shall not engage in inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similarly inappropriate or unlawful conduct.
- Employees should be mindful when posting photos on their personal social media accounts that could be deemed questionable in nature.
 - Employee A posts a photo on Facebook with an obvious alcoholic beverage in his hand, while standing next to a Salisbury City vehicle.
 - Employees B and C wear their City department uniforms while depicted in photos surrounded by clearly criminal activity.
- Confidential information about workplace operations or employees is not permitted. This includes personal information (social security numbers or home addresses) about your co-workers without their consent, information that may put your co-workers in harm's way, and Human Resources investigations. Any posts outside of these parameters are subject to review by Salisbury Human Resources.

Salisbury Public Safety Employees

Salisbury public safety employees will follow the same guidelines as regular City employees, but because of the very nature of their public safety job, will also follow the guidelines listed below.

- The City must review any public safety employee's reference to the Salisbury Police or Fire Departments to ensure that such reference does not cause a decrease in public confidence and respect in the departments.
- A public safety employee shall not post photographs or other depictions of departments' uniforms, badges, patches, marked units and Salisbury Police and Fire Department logos in a manner not befitting of and/or clearly harmful to the City's reputation unless pre-approved by the Chiefs of Police and Fire.
- Public safety employees shall not like, share or post any material on the Internet that brings discredit to or may adversely affect the efficiency or integrity of the Salisbury Police or Fire Departments.
- Salisbury public safety employees shall not like, share or post any information about on-going criminal investigations, confidential departmental affairs or active emergency scenes. Where applicable, police and fire personnel should be mindful of the possible adverse consequences of postings regarding cross-examination in criminal cases.
- When in doubt employees are encouraged to seek the guidance of supervisors regarding any posting that may adversely reflect upon either the department or upon the professionalism or integrity of the employee.

Employee FAQs

May I use my City of Salisbury work email for my Facebook account?

Do not use your Salisbury work email address for your personal social media accounts, other than business-related platforms such as LinkedIn.

Can I be held responsible for what my friends or family post on social media?

You cannot be held responsible for social media posts created by friends and family. However if you engage in a conversation on social media that violates aspects of this policy, you may be subject to discipline.

What am I allowed to say about my workplace on my personal social media page?

Employees are free to discuss their pay and workplace conditions in a positive or negative light. Confidential information about workplace operations or employees is not permitted. This includes personal information (social security numbers or home addresses) about your co-workers without their consent, information that may put your co-workers in harm's way, and human resources investigations. Any posts outside of these parameters are subject to review by Human Resources.

If I'm interested in promoting the City, what is the best way to do so?

The best way to promote the City on your personal social media platforms is to "like" and "share" official posts from the official City of Salisbury social media page. Additional comments are welcome to promote these postings.

What types of postings would the City deem inappropriate, so I can avoid them?

Never post content that violates any policy in this manual. Never post any information that you know to be false or rumors about the City, fellow co-workers, residents, vendors, suppliers, or people working on behalf of the City or competitors.

Salisbury employees are prohibited from publishing, transmitting, posting or otherwise disseminating any information, documents or images associated with the City to which they have access only as a result of their employment without prior approval from their supervisor. This includes any confidential, privileged or investigation-related information or images.

What are some specific examples of inappropriate postings?

- Any criminal activity (*Ex: Posting a picture of yourself texting and driving*)
- Comments or content that promotes, fosters, or perpetuates discrimination or harassment on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability, sexual orientation or gender identity. (*Ex: Making derogatory comments about a coworker's race.*)
- Personally identifiable medical information or social security numbers of co-workers (*Ex: Posting a picture of a coworker's paystub*)
- Information that may compromise the safety, security or proceedings of Salisbury systems or any criminal or civil investigations. (*Ex: Posting a picture of an undercover police officer.*)
- Using City information/assets to promote your personal interests (*Ex: Posting information about your home business from your work computer.*)
- Specific information about citizens or customers. (*Ex: Customers who come to the SCSC to pay a bill or HR to apply for a job.*)

The City of Salisbury prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination of employment.

Employee Social Media Dos and Don'ts

Do:

- Know the City of Salisbury Social Media Policy
- Know your privacy settings
- Be yourself, say who you are and where you work
- State clearly that the views/opinions expressed are your own
- Speak in first person
- Be respectful of other cultures, religions, and values
- Think before posting
- Get your facts right, be truthful
- Understand the limits of online privacy
- Understand your First Amendment rights
- Keep work and play separate

Don'ts:

- Don't post anything that you would be embarrassed to have your parent/boss see
- Don't speak on behalf of the City of Salisbury
- Don't lie
- Don't post any defamatory, vulgar, obscene or threatening material
- Don't pick fights
- Don't share confidential information
- Don't cite colleagues without their permission

6.8 EMPLOYEE SUGGESTIONS

We welcome suggestions for continued improvement and welcome your ideas for better ways to do your job, produce or sell the products or services of our City, or meet customer and client needs. Discuss your ideas with your supervisor or another member of the management team.

We also encourage you to offer any suggestions derived from seminars, magazines, or other outside sources of information you believe would add value to the City of Salisbury.

Understand that any suggestions, innovations, inventions, or other matter created by you on work time or with Company tools or property are considered to be the property of the City of Salisbury.

6.9 BULLETIN BOARDS/ TV MONITORS

The City of Salisbury maintains an official bulletin board and monitors located at each facility for the purpose of providing employees with its official notices, including wage and hour laws, changes in policies, and other employment-related notices. At times the City may also post information of general interest to employees on the bulletin board. Please keep informed about this material by periodically reviewing the City bulletin board. Only authorized personnel are allowed to add and remove notices.

6.10 NON-SOLICITATION POLICY

To avoid disruption of business operations or disturbance of employees, visitors, and others, the City of Salisbury has implemented a Non-Solicitation Policy. For purposes of the Non-Solicitation Policy,

"solicitation" includes canvassing, soliciting or seeking to obtain membership in or support for any organization, requesting contributions, and posting or distributing handbills, pamphlets, petitions, and other materials on City property during working time or using City resources (including without limitation, bulletin boards, computers, mail, email and telecommunication systems, photocopiers, and telephone lists and databases) during working time. Solicitation performed through verbal, written, or electronic means is covered by the Non-Solicitation Policy.

Employees are prohibited from soliciting other employees for any cause during their assigned working time. For this purpose, working time means time during which either the soliciting employees or the employees who are the object of the solicitation are expected to be actively engaged with assigned work. Employees may conduct solicitations during their lunch period, coffee breaks, or other authorized non-work periods, so long as they do so when the other employees are on their lunch or break periods. Employees are prohibited from soliciting an employee who requests not to be solicited, even if on a break period.

6.11 PERSONAL APPEARANCE

Your personal appearance reflects on the reputation and integrity of the organization. All employees are required to report to work neatly groomed and dressed comfortably and to maintain good personal hygiene habits.

The City has established the following guidelines for appropriate workplace attire. Employees who fail to abide by this policy will be sent home without pay to change their clothing. Repeated violations of this policy may result in discipline, up to and including termination.

- **Business Attire** is appropriate when conducting business with elected officials and the public in a formal business setting. (Example: City Council regular meeting, court, professional speaking engagement).
- **Business Casual Attire** is appropriate when conducting everyday business with the public in an office setting. It is crisp and neat. The City does not consider jeans to be appropriate business casual attire.
- **Non-Climate Controlled Environments Attire** is appropriate when employees spend the majority of their workday in non-climate controlled environments, such as outdoors, open buildings or buildings/spaces in the building without heat or air conditioning.
- **Uniform Attire** is appropriate if uniforms are provided and required. Employees must wear them in accordance with department uniform guidelines.
- **Casual Dress Policy** Casual dress day is the last workday of every week for all employees unless a uniform is provided and/or required. Casual clothing deserves the same attention to detail as a traditional corporate wardrobe. Creating a look that is professional and comfortable sets the right tone.

The following represents some guidelines relative to this policy.

Wrinkled, stained or dirty clothing is inappropriate.

Ripped jeans and "distressed clothes" are inappropriate.

Tank tops are inappropriate, as are camisoles without cover.

Undershirts or shirts meant to be worn as undergarments are inappropriate.

Flashy, "loud" clothing (including T-shirts with printed messages) is inappropriate.

Avoid lingerie looks or overly revealing outfits.

Be sure to check that garments are not too transparent or too tight.

Footwear should be fastened and secured to feet for safety on the stairs and in the office (no flip-flops).

Employees scheduled to meet with outside personnel/customer must wear normal business attire.

Casual clothing (leggings, jogging suits, distracting or revealing clothing) is not appropriate

No dress code can cover all contingencies so employees must exert a certain amount of judgment in their choice of clothing to wear for work. If you are uncertain about acceptable attire for work, please ask your supervisor/manager or Human Resources Department.

Certain positions are required to wear City uniforms as a condition of employment. Please consult with your supervisor as to City policy regarding fitting, cleaning, and repair of City uniforms. It is against City policy for employees to wear their City uniform while off duty, except for normal commuting between home and the job site. Certain positions also are required to wear the safety equipment while on the job [i.e. steel-toed boots, safety glasses, safety masks, etc.]

6.12 TELEPHONE USE

City of Salisbury phones are principally for work-related communications. Unless there is an emergency, employees are required to limit long distance telephone calls to business purposes only. Employees should limit personal use of the telephone to brief communications during rest periods. Casual conversation with friends and relatives during working hours is strongly discouraged. Telephone use is subject to the Information Technology Policy.

6.13 PERSONAL CELL PHONE/MOBILE DEVICE USE

Personal cell phone use at work is distracting and can be disruptive. All personal cell phones/mobile devices are required to be on silent while you are at work (unless you have communicated to your supervisor/manager about an unusual circumstance that requires you to be available). In addition, employees are prohibited from texting, digital photography, and other cellular phone functions during working time.

You may use your cell phone during lunch or on breaks. During this time, please use your phone in a manner that is courteous to those around you.

While operating a City vehicle, the City requires that the driver's personal cell phone/mobile device be turned off. If you need to make or receive a phone call, or send or review a text, pull off the road to a safe location unless you have the correct hands-free equipment for the device that is in compliance with applicable state laws.

Violation of this policy will subject an employee to disciplinary action up to and including termination of employment.

6.14 MAIL USE

Employees are required to limit usage of the City's mail service to business purposes only. You may not use the City of Salisbury address (or facilities) to receive personal mail. Do not use the City postage meter for your personal mail. If you notice any suspicious packages or envelopes, please report this to your supervisor, Human Resources or Fraud Line immediately.

6.15 OFF-DUTY USE OF CITY PROPERTY OR PREMISES

Employees may not use City property for personal use or City property for use while off premises without prior written approval from their supervisor. Employees are responsible for returning City property in good condition and repairing or replacing any property damaged as the result of personal use or as the result of negligence. This includes using copy machines, computers, City products (City iPad, cell phone or other City technology devices) or office supplies for personal use without prior authorization.

Employees are prohibited from using City facilities during off duty or non-working hours without the prior written consent of their supervisor. When consent is given, employees may be required to sign a log-in and log-out sheet maintained by the City.

6.16 SECURITY

Every employee is responsible for helping to make this a secure work environment. Upon leaving work, lock all desks, lockers, and doors protecting valuable or sensitive material in your work area and report any lost or stolen keys, passes, or other similar devices to your supervisor immediately. You should refrain from discussing with non-employees specifics regarding City security systems, alarms, passwords, etc.

We also request that you immediately advise your supervisor of any known or potential security risks and/or suspicious conduct of employees, customers, or guests of the City. Safety and security is the responsibility of every employee and we rely on you to help us keep our premises secure.

6.17 THIRD PARTY DISCLOSURES

From time to time, our City may become involved in news stories or potential or actual legal proceedings of various kinds. When that happens, lawyers, former employees, newspapers, law enforcement agencies, and other outside persons may contact our employees to obtain information about the incident or the actual or potential lawsuit.

If you receive such a contact, you should not discuss the matter with the caller but refer the call to the Communications Director and then immediately advise Human Resources that the contact was made. If you have any questions about this policy or are not certain what to do when such a contact is made, please contact the Communications Director.

6.18 RECYCLING POLICY

The City tries to recycle as much as possible. We have recycling bins placed around the City for cans, plastics, etc. With the exception of confidential or sensitive material, every effort should be made to use both sides of paper for preparing rough documents, memos, etc. If you have any suggestions on how to improve reduction of waste material produced by this City, please communicate that to your supervisor.

Please also make an effort to turn off any lights, equipment, faucets, and other energy sources when not in use.

All sensitive or confidential material should be shredded or otherwise destroyed before being discarded.

6.19 PERSONAL DATA CHANGES

It is your obligation to provide the City with all of your current contact information, including current mailing address and telephone numbers. Please inform the City of any changes to your marital or tax withholding status. Failure to do so may result in loss of benefits or delayed receipt of W-2 and other mailings. You may use the Employee Self Service system which allows you to make any change at any time from a computer.

6.20 SEVERE WEATHER POLICY

The City Manager may place the City's workforce on Severe Weather Status when weather conditions are expected to make transportation very difficult or hazardous. Severe Weather Status will be announced on local radio stations and on a recorded message that employees can access by calling an "employee hotline" at **(704) 638-2132**. The Severe Weather Policy that follows will be in effect for the duration of the Severe Weather Status. The status may change from day to day. It is the employee's responsibility to check daily for updates.

Work Categories

Department Heads will determine work schedules and assignments to assure that vital City services are delivered with certainty and that other important City services are given appropriate attention. Each employee will be assigned to one of these two Work Categories based on duties and responsibilities:

- Essential
- Non-Essential

When weather forecasts make the consideration of Severe Weather Status probable, employees will be reminded of the City's policies and they will be informed, to the extent known, of the Work Category to which they would likely be assigned.

Essential

Essential employees – those whose job duties are required for the essential operations of the City - will be required to report for work per their regular schedule or may be called in to work on an unscheduled work day, in spite of an official closing, delay, or cancellation. Essential employees who are required to remain at work during hazardous times may be relieved of duties for the period of time necessary to assure the safety of their families.

Non-Essential

Employees categorized as "non-essential" are those employees whose job duties and responsibilities are not generally required for the essential operations of the City. Non-essential employees are excused from working during an official closing, delay, or cancellation unless they are notified by an appropriate supervisor that they must report for work to support the necessary operations of City government in spite of a closing, delay, or cancellation. Such determinations are made on a situation-specific basis and will not normally result in a permanent change to the non-essential employee designation for the position.

Reporting and Compensation for Work

The following will apply when City offices are closed or operations/services are curtailed due to inclement weather or emergency conditions:

- Non-essential employees will be relieved of duties once the City Manager has made the determination to close, delay, or cancel City operations/services. Non-essential employees will be paid for only those hours worked prior to being relieved of duties.
- Non-essential employees may have cause (i.e., travel, family) to leave work early, not report to work, or arrive late to work as a result of the Severe Weather Status. Conversely, non-essential employees may have cause to work during hours after the City Manager has declared a Severe Weather Status. The employee's immediate supervisor or Department Head will assess the reason for the employee's request and determine whether to either approve or deny the request. Careful attention will be taken to maintain the safety of the employees.
- Essential employees should not expect approval of vacation requests during Severe Weather Status. Previously approved vacation requests may be impacted by a Severe Weather Status and should be discussed by the employee and his/her supervisor.
- A Department Head may request non-essential employees report to work or remain at work during a Severe Weather Status. Department Heads will establish a procedure for notifying these employees individually and every employee will be required to work when their

supervisor directs they do so unless the supervisor and the employee mutually agree that it is in the best interest that the employee not do so.

- Employees required to work during a Severe Weather Status will be compensated based on the following:
 - Non-exempt employees will receive their base rate of pay for all hours worked up to 40 hours. All hours worked over 40 in a workweek will be compensated as direct pay at 1 ½ times the regular hourly rate or at 1 ½ hours for each overtime hour worked (>40 in 7-day week, >=171 or 212 in 28 day cycle).
 - Exempt employees will receive their normal salary and will not receive overtime pay.

Accounting for Time Not Worked

All employees must account for any work time lost due to Severe Weather Status, whether the City offices close, an employee leaves work early, or an employee does not report to work. Employees are expected to use their best judgment if inclement weather creates extreme travel hazards for commuting to and from the workplace. They should not endanger themselves nor ignore the statements of local officials about traveling during inclement weather. Employees must notify their supervisor if they are unable to report to work or remain at work when City offices are operating under a normal work schedule. Failure to do so may result in disciplinary action. However, when conditions cause an employee to arrive late to work and notification was not made to supervisor, the supervisor may determine that the conditions justified the late arrival. In such cases, no disciplinary action will be taken.

To cover absences during a Severe Weather Status, both exempt and non-exempt employees may elect to:

- use vacation leave
- take leave without pay, without adverse consequences

Employees who are on a pre-approved vacation or sick leave will charge leave to the appropriate account with no provision for make-up time.

6.21 FLEXIBLE WORK

Purpose

The City of Salisbury is committed to helping employees face the demands of work, family, and life-related issues by offering flexible work arrangements. The City supports its departments in exploring and implementing flexible work arrangements.

The purpose of this policy is to provide for consistent application of flexible work arrangements across City departments, to ensure the security of City information and systems, to maintain continuity of operations, to reduce the environmental impact of commuting, and to increase employee morale and satisfaction.

Types of Flexible Work

Flexible work arrangement: A change in schedule or work location or both to meet a departmental or employee interest or need.

Remote work: working from home or from a location other than the employee's assigned workplace on City property.

Compressed schedule: a schedule in which an employee works the employee's base weekly hours in fewer days than the employee's position traditionally allows. (For example, a 37.5 hour per week employee whose position normally requires 7.5 hours per day, five days per week, might be compressed into four 8.5-hour days and one 3.5-hour day, or into four 9.25-hour days.)

Alternative schedule a schedule in which an employee starts and ends the workday at non-traditional times for the position, but works the same traditional days. (For example, an employee that normally works from 8:30 a.m. to 5:00 p.m. may be scheduled to work from 8:00 a.m. to 4:30 p.m.)

Factors for Consideration

Flexible work arrangements may be requested by the employee or assigned by the Department Director. In reviewing requests and making assignments, Department Directors' shall consider, at a minimum, the factors relevant to the job duties of the position and the capabilities and performance of the employee requesting or being assigned flexible work. Such factors include, but are not limited to, the following:

Employee considerations

Employees suitable for flexible work are high performers who know the job and their departments' goals and expectations. They can work independently, do not require close supervision, and have good communication skills.

Employees must have successfully completed the probationary period to be considered eligible for telework and must meet minimum performance standards of "satisfactory" on their employee evaluations. The City Manager has the discretion to approve exemptions to this requirement.

Positions eligible

Types of tasks. Remote work is suitable for job tasks that can be completed remotely without any decrease in the levels of service provided to the customer, including reading, writing, researching, teleconferencing, calculating, analyzing, designing, programming, and managing data.

Types of departmental units. Work units suitable for flexible work have structure, clear work assignments that can be measure by performance results, cross-training, back-up plans, and can operate smoothly when one or more employees are working remotely.

Quality of service not affected. The flexible work agreement must be arranged so that there is no difference in the level of service provided to the customer and the location of the workplace is not noticeable to the customer.

Responsibilities

Responsibilities of the Department Director.

Department Directors have the sole authority, subject only to review by the City Manager or designee, to implement this flexible work program. Department Directors shall ensure that flexible work arrangements are structured to maintain continuity of operations and the standards of excellence consistent with and required by the City's commitment to customer service. Department Directors' responsibilities include, but are not limited to, the following:

Review and approve Department Directors shall review flexible work requests based on the factors outlined in Section III of this policy. Department Directors shall approve or deny flexible work requests.

Assign Where required or where convenient for the business operations of the City, Department Directors shall direct employees to work flexible work arrangements.

Review and execute flexible work agreements Each flexible work arrangement requires a written agreement, as set forth in Section IV. The Department Director shall ensure that such agreements are in effect.

Communicate with city management Department Directors shall report to the City Manager or designee on the success or areas for improvement of the City's flexible work program.

Responsibilities of the direct supervisor.

Direct supervisors are critical to the success of the City's flexible work program. Direct supervisors are the ones most able to evaluate employees and report on the successes and areas for improvement of the flexible work program. Direct supervisor responsibilities include, but are not limited to, the following:

Implement Implement flexible work arrangements with subordinate employees in accordance with City policy, and consistent with the flexible work agreement. This includes approving work schedules for employees consistent with the flexible work agreement.

Support Review with the employee the required forms for flexible work arrangements and technology requests. Provide an environment that is conducive to flexible work, and provide scheduling flexibility and logistical support to flexible workers. Obtain feedback from employees regarding the impact of flexible work arrangements.

Review Review employee performance on a regular basis to ensure goals and expectations are met in a timely and efficient manner. At a minimum, the supervisor shall review each employee on a flexible work arrangements after a one-month period and every three months thereafter to determine whether a flexible work arrangements will be continued.

Report The direct supervisor shall provide feedback to the Department Director on the successes and areas for improvement on flexible work arrangements. This includes reporting any problems with flexible work arrangements to the Department Director. The Department Director may suspend or discontinue the flexible work arrangement at any time. Written notification of any suspension or discontinuation of flexible work arrangement shall be provided to the employee, the employee's supervisor, and to the Human Resources Director.

Responsibilities of the employee.

Employees on flexible work arrangements shall implement the City's flexible work policy by requesting flexible work where appropriate, communicating with the employee's direct supervisor to ensure continuity of operations and level of service, and to report any problems or areas for improvement, and performing to the standards required to maintain the City's standard of excellence. Employee responsibilities include, but are not limited to, the following:

Request flexible work Flexible work arrangements may be implemented at the direction of the Department Director or by request from the employee. Employees that are interested in flexible work arrangements shall make such requests in the manner required by this policy. Employees that are directed to work a flexible work arrangement shall comply with the directive, unless circumstances exist that would prevent employee compliance, in which case those circumstances should be communicated to the employee's supervisor or the department head.

Review policy Stay informed of the city's flexible work policy, and uses the flexible work program forms.

Be available and communicate Remain accessible to customers, co-workers, and supervisors; coordinate meetings with customers, co-workers, and supervisors in an efficient way so that it is not disruptive to the work environment. Utilize appropriate means for communication with supervisors

and co-workers. Be available to report to city facilities as necessary or as directed by supervisory personnel. (*Note: consistent with applicable law, time spent commuting will not be considered part of the approved working hours and will not be reimbursed.*) Immediately notify supervisor of change in work status (*e.g.*, loss of internet access, periods of leave).

Plan your work Structure flexible work to be as transparent as possible to customers, co-workers, and supervisors. Plan and organize tasks for flexible work to maximize efficiency and productivity. Maintain contact with supervisor to determine assigned tasks, track work performed, and communicate results as requested by supervisor.

Maintain and proficiently use technology Maintain and proficiently use technology required for remote work, including an accessible telephone with text messaging capabilities, and video conference software such as Zoom. Work with the City's IT Department to ensure technology is sufficient for remote work.

Maintain safe work environments and communicate with risk management Maintain a safe remote work area, including but not limited to, appropriately installed equipment, adequate space and light, limit noise and other potential disruptions. Work with the City's Risk Manager to identify and troubleshoot specific issues. Immediately report any job-related incident or accident. (*Note: The City does not assume responsibility to any person other than the employee at the remote work site, or for damage to personal equipment used for remote work. Automobile and homeowners' or renters' insurance are required and are the responsibility of employees on a flexible work arrangement.*)

Do not conduct in person meetings from home Holding work-related in-person meetings at a residential remote work site is prohibited. Any in-person meetings shall be conducted at City facilities or at public locations.

Complete the required training and forms Complete security training. Complete the flexible work forms (Flexible Work Agreement, Home Certification Checklist) and any other forms required by the City for the flexible work arrangement.

Responsibilities of Information Technology

The City's IT Department shall support the City's flexible work arrangements to ensure the greatest flexibility possible, consistent with maintaining the safety of the City's entire telecommunications network (*e.g.*, telephones, computers, networks) and security infrastructure. Such responsibilities include, but are not limited to: 1) providing available resources to departments to support flexible work arrangements (*note: IT does not have resources available to provide every employee working remotely with a City laptop or other electronic devices, but will provide resources to the extent they are available*); 2) providing technical support and problem solving for flexible workers through the City's Service Desk; and 3) providing options for remote workers to access the City's data and telecommunications network.

Procedure

Approval of flexible work arrangements.

By request Employees may request flexible work arrangements. Any request must be submitted by the employee, in writing, on a form provided by the City. In considering these requests, Department Directors should use the factors listed in Section III. Department Directors have the authority to approve or deny requests for flexible work arrangements.

By direction Department directors may direct employees to work a flexible work arrangement.

City Manager discretionary review. Flexible work arrangements do not require the prior approval of the City Manager. Notwithstanding the foregoing and anything to the contrary in this policy, the City Manager retains the authority, in the City Manager's sole discretion, to deny any approved request,

to grant any denied request, to direct an employee to participate in any flexible work arrangement, or to discontinue any flexible work arrangement.

Written agreement for flexible work arrangement

Execution of agreement The City and the employee shall execute a flexible work agreement prior to the start of any flexible work arrangement. In circumstances where executing an agreement prior to the start of a flexible work arrangement is impractical, the City and the employee shall execute a flexible work agreement as soon as practical after the flexible work arrangement begins.

Requirements of agreement. There are a variety of issues that the Department Director and employee shall discuss before implementing a flexible work agreement. The flexible work agreement should be unique for each flexible work arrangement, consistent with the requirements of this section and this policy.

Each agreement shall, at a minimum, include the following: 1) type(s) of flexible work arrangement(s); 2) flexible work schedule, including days, times, and locations, as applicable; 3) confirmation that the employee's performance and the job requirements are consistent with the flexible work policy (this can be a checklist); 4) the term of the agreement, which shall be no longer than 12 months, but can be renewed upon satisfactory performance; and 5) a Home Safety Self Certification Checklist. (Note: the City provides a form for the request and agreement, which the City may change from time to time, consistent with this policy.)

Each flexible work arrangement and written agreement must comply with applicable law and City policy, including but not limited to: 1) job duties and performance expectations shall remain the same for employees participating in flexible work arrangements; 2) the City's procedures for leave approval apply to all employees participating in flexible work arrangements; 3) flexible work arrangements for employees considered "non-exempt" according to the Fair Labor Standards Act (FLSA) cannot be scheduled in a manner that would create overtime liability. Non-exempt employees cannot balance their hours over the established two-week pay cycle; their hours must be balanced over the City's designated seven-day work period.

Termination of agreement The City reserves the right to terminate flexible work arrangements and flexible work agreements at any time and for any reason. Failure on the part of the employee to meet all specified requirements of the flexible work agreements and this policy will result in immediate termination of the agreement. Any employee whose agreement has been terminated must wait at least one year before requesting another flexible work arrangement.

(See Appendix for Flexible Work Agreement Form and Home Safety Self-Certification Checklist)

Added August 17, 2020

7.0 BENEFITS

Policies regarding certain benefits are only briefly described herein. Summary Plan descriptions (available from the Human Resources Department) provide the complete and final specification of various plans.

7.1 REGULAR FULL-TIME EMPLOYEES

A regular full-time employee is an employee who has completed his/her orientation period and is regularly scheduled to work 37.5 hours or more per week. Unless stated otherwise, all the benefits provided to employees are for regular full-time employees only. This includes vacation, holiday pay, health insurance and other benefits coverage.

7.2 REGULAR PART-TIME EMPLOYEES

Any employee who works less than 1,000 hours in a calendar year is considered a part-time employee. Part-time employees are not eligible for City benefits unless otherwise specified in this manual or in the benefit plan summaries.

7.3 TEMPORARY EMPLOYEES

Temporary employees are hired for a specific period or specific work project. Temporary employees are not eligible for employee benefits unless otherwise mandated by state or federal law, or specified in this handbook or in the benefit plan summary.

7.4 HEALTH INSURANCE

The City provides its regular full-time employees with health insurance. Medical plan benefits for eligible employees and their dependents are described in detail in the Summary Plan Description (SPD) prepared by the insurance carrier that is available to all eligible employees. The SPD provides information on coverage for medical treatments and procedures.

Benefits may be canceled or changed at the City's discretion during the budget process and approval by the City Council, unless otherwise required by law. The City will notify you of any changes, including any increase in the employee's share of the insurance premium.

Health benefits during Family and Medical leaves are maintained by the City on the same terms as if the employee continued to work. Please contact Human Resources for clarification. In such circumstances, arrangements must be made by eligible employees to pay their share of the health insurance premium on a monthly basis to maintain insurance coverage. Please contact the Payroll Department to determine the amount of your contribution. The City's obligation to maintain health benefits stops when:

- An employee informs the City of an intent not to return to work at the end of the leave period;

- An employee fails to return to work when the FMLA entitlement is exhausted; or
- An employee's premium contribution is past due.

The City will be entitled to recover premiums paid to maintain health insurance coverage for an employee who fails to return to work from leave.

Health Insurance for Retirees

The City provides health insurance coverage to employees hired prior to January 1, 2012, who are in any of the following three classes:

- 1) Employees with a total of 30 or more years of creditable service with the City of Salisbury who otherwise meet the requirements for retirement in accordance with the North Carolina Local Government Employees Retirement (LGERS) guidelines;
- 2) Employees who are age 55 or older, who retire with a total of 15 or more years of creditable service with the City of Salisbury who otherwise meet the requirements for retirement in accordance with the North Carolina Local Government Employees Retirement (LGERS) guidelines; or
- 3) Employees with 20 years or more of creditable service to the City of Salisbury, whose collective age and creditable service to the City of Salisbury equal 70 or more, and who are approved for disability retirement in accordance with the LGERS guidelines.

The health insurance coverage offered pursuant to this policy is equivalent to the individual coverage offered to active employees. Spouses, children, or other family members are not eligible for health insurance in retirement.

Health insurance shall be provided until the earliest of the following events: 1) until the retired employee is age 65; 2) until the retired employee is eligible to receive or does in fact receive Medicare or Medicaid; or 3) until the retired employee receives from other source health insurance substantially equivalent to or better than the health insurance offered by the City. In order to maintain coverage pursuant to this policy, retirees that are afforded health insurance are required to apply for Medicare or Medicaid at the earliest possible date.

Retiree health insurance is not available for employees hired after January 1, 2012. In determining creditable years of service to the City of Salisbury and hire date, full time, sworn police employees may count years of service as sworn law enforcement employees of another North Carolina law enforcement agency.

Retirees who return to work and are eligible for health insurance with the new employer shall forfeit health insurance coverage under the City of Salisbury's group health plan with the right of reinstatement in the City of Salisbury's group health plan.

<i>Revised January 2020</i>

7.5 DENTAL INSURANCE

As part of the medical insurance package, the City provides individual employee dental insurance. Dental plan benefits are described in detail in the Summary Plan Description (SPD).

7.6 VISION CARE INSURANCE

All regular full-time employees are eligible for the City's vision care plan. Vision care plan benefits are described in detail in the Summary Plan Description (SPD).

7.7 FLEX SPENDING ACCOUNT

Flex- Medical Spending

Employees may elect to set aside a portion of their pay in pre-tax dollars, to cover medical and dental expenses not paid by insurance. This benefit may be used for family members claimed on the employee's annual income tax return. Maximums may be indexed periodically. Accounts are subject to IRS regulations regarding midyear changes.

Flex- Dependent Care

Employees may annually elect to set aside a portion of their pay in pre-tax dollars for the care of dependent children under the age of 13. The child must be claimed as a dependent on the employee's income tax return. If the employee is married, both the employee and spouse must be working. Accounts are subject to IRS regulations regarding midyear changes and may be indexed periodically.

7.8 DISABILITY INSURANCE

Long Term Disability- Employees may elect to purchase Long Term Disability Insurance coverage for themselves at group insurance rates.

Short Term Disability- Employees may elect to purchase Short Term Disability Insurance coverage for themselves at group insurance rates.

This Long Term and Short Term Disability Insurance coverage offered by the City of Salisbury provides employees with disability income protection when employees miss work due to non-work related disabilities. The terms and conditions for disability are outlined in the Summary of Plan Benefits. Please contact Human Resources for a copy of the plan provisions and for any information you need about the benefit.

7.9 LIFE INSURANCE

All regular full-time employees are provided with life insurance by the City. The City provides a term life insurance policy in the amount of the employee's annual salary rounded up to the nearest thousand, at no charge to the employee. The value of employer-provided life insurance exceeding a \$50,000 benefit will be subject to income tax withholding. Maximum benefit amount is \$100,000.

Additional life insurance is available for the employee and family members through payroll deduction at the prevailing group rate. Life Insurance that is paid for by the employee is subject to income tax

withholding and has a maximum benefit amount of \$200,000. Should the employee elect additional coverage at the time it is initially offered, employee and/or the included family members will be subject to evidence of insurability.

You will be required to notify the benefits administrator of your intended beneficiary. Refer to the Summary Plan Description (SPD) for details about the benefit.

7.10 NC 401k and 457 DEFERRED COMPENSATION PLAN

401k The City provides an employer contribution for all regular employees to the defined contribution, non-discriminatory, State 401k Plan. Sworn Law Enforcement personnel receive the state mandated 5% employer contribution to the plan. The minimum employee contribution to the plan is \$10 biweekly. Maximums are set by federal law and indexed periodically.

457 Deferred Compensation- Full Time and Part Time Employees may elect to participate in the defined contribution, non-discriminatory, 457 Deferred Compensation Plan. The minimum employee contribution to the plan is \$10 biweekly. Maximums are set by federal law and indexed periodically. An outside vendor selected through the post bid system administers the plan.

7.11 RETIREMENT

Full Time Employees must participate in the defined benefit pension plan provided through the North Carolina Local Government Employees Retirement System (NCLGERS). This is a non-discriminatory, defined benefit plan.

Separation Allowance for Law Enforcement

The State of North Carolina currently provides a special separation allowance to Sworn Law enforcement officers who meet the following conditions:

- a) The officer has completed 30 or more year of credible service, or has attained 55 years of age and completed five or more years of credible service; and
- b) The officer has completed at least five years of continuous service as a law enforcement officer immediately preceding retirement; and
- c) The officer has not attained 62 years of age;
- d) The officer, after separation from employment with the City, notifies the City of any new employment, including the nature and extent of employment, any change of employment status, and any discontinuation of employment, within five (5) days of the new employment, change or discontinuation.

Termination of the separation allowance will occur at death, or on the last day of the month in which the officer attains 62 years of age, or upon the first day of reemployment in any capacity by any State or local law enforcement department, agency or institution including local municipalities and counties, except as provided by state statute.

7.12 LEAVE SHARE

Employees can donate annual leave to another employee who has experienced a prolonged serious health condition according to guidelines set forth in the FMLA (excluding elective surgery, Worker's Compensation and absence due to pregnancy). To apply for up to 480 hours of Shared Leave employees must have been absent from work for a minimum of 160 consecutive work hours and have exhausted all paid leave. Generally, shared leave shall not be used to extend an employee's time in leave status beyond one year from the last date worked. Once the application for Shared Leave has been received and approved by the Human Resources Department notice will be given to the general employee population of the need for donated leave. Employees are eligible to donate annual leave in increments of four (4) hours. After donation, the donating employee must have a balance of 40 hours of Annual Leave and 40 hours of Sick Leave.

7.13 COBRA

COBRA, the Consolidated Omnibus Budget Reconciliation Act, provides the opportunity for employees and their beneficiaries to continue health insurance coverage under the City health plan when a "qualifying event" could result in the loss of eligibility. Qualifying events may include resignation, termination of employment, death of an employee, reduction in hours, a leave of absence, divorce or legal separation, entitlement to Medicare, or where a dependent child no longer meets eligibility requirements. Employees and their eligible dependents may elect to continue in the health and dental plan upon payment of the applicable premium plus any additional administrative charge. Employees and eligible dependents will be notified, in writing, of the continuation benefits. Please contact Human Resources to learn more about your COBRA rights.

7.14 UNEMPLOYMENT COMPENSATION INSURANCE

Unemployment compensation insurance is paid for by the City and provides temporary income for employees who have lost their job under certain circumstances. Your eligibility for unemployment compensation will, in part, be determined by the reason(s) for your separation from the organization.

7.15 WELLNESS

The City promotes the good health, physical and mental well-being of its employees, in part by its support and sponsorship of various activities and programs. The City of Salisbury maintains a health clinic for use by all City employees. The clinic is staffed by a nurse practitioner to provide limited clinical and first aid services. All employees are encouraged to use the clinic for treatment of minor injuries, illness and preventive care. For more information, see the Employee Benefits Administrator.

7.16 EMPLOYEE ASSISTANCE PROGRAM (EAP)

The City is committed to assisting employees in maintaining satisfactory job performance through the provision of an Employee Assistance Program (EAP) as a benefit to employees and their families. The City believes it is in the best interest of the employee, the employee's family, and the City to provide an employee service that deals with problems. The Employee Assistance Program provides confidential, professional assistance for such situations or problems as marital or family distress, financial or legal issues, depression, alcohol or drug abuse, emotional crisis, child or elder care issues,

or difficulties with co-workers. There is no charge for services provided by the EAP. If the problem requires long-range treatment or therapy, the EAP counselor will make a referral for affordable services in the community.

Employees and their families are eligible for participation in EAP on the first day of employment. An appointment for a confidential session may be made by contacting the EAP counseling office. The City will not be contacted concerning self-referrals.

A Department Head or supervisor may make an appointment for an employee when personal problems may be adversely affecting job performance. If a waiver is signed, the Department Head or supervisor will then be told only whether or not the employee kept the appointment and whether the recommended treatment, if applicable, will be followed.

Additional information regarding EAP may be obtained from a supervisor, the Human Resources Department or the direct contact to EAP.

7.17 CONTINUING EDUCATION POLICY AND TUITION ASSISTANCE

We believe in the continuing education of our employees. If the City sends you to a class or training program during normal working hours related to your employment and you are a nonexempt employee, you will be paid for that time. If you are interested in attending an outside class and having the City pay for your attendance, you are required to provide advance written notice indicating a description of the class, including the subject matter, length, and cost. Depending on the type of training, the City may reimburse some or all of the fees, including materials expenses, meals, and transportation.

The individual course or degree program being pursued by the employee must be taken at an institution accredited by a nationally recognized accredited agency and must either:

- Improve or maintain skills and knowledge related to the employee's current job; or
- Provide required qualifications for advancement consideration to a job at a level immediately above the employee's current level

Reimbursement Amount: One half the cost of tuition, required fees, and required textbooks will be reimbursed for approved education up to a maximum of \$300 for each undergraduate course and \$400 for each graduate course.

All the following conditions must be satisfied for reimbursement to be made:

- Each class is approved in advance by the employee's Department Head and the Human Resources Director as meeting the requirements of these guidelines. Availability of funds will be determined at the time of approval
- Covered costs have been paid by the employee and are not covered for reimbursement by any other source
- Course was actually completed with a grade of "C" or higher (or "pass" if pass/fail)
- Employee has submitted evidence of payment and grade

- Employee remains actively employed by the City for a minimum of six (6) months after the completion of the course (employees who leave prior to the six-month mark are subject to tuition reimbursement costs being deducted from their final paycheck)

See Appendix for Educational Reimbursement Form

7.18 HOLIDAY PAY

The City of Salisbury offers the following paid holidays each year:

- New Year's Day
- Martin Luther King, Jr. Day
- Presidents' Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving Day and day after Thanksgiving
- Christmas Eve, Christmas Day and Day after Christmas

When a City holiday falls on a Saturday, it will be observed the preceding Friday. Holidays falling on a Sunday will be observed the following Monday.

In addition:

If the holiday occurs.....	Then....
On an employee's regular day off	Employee receives an additional day's pay
On an employee's regular scheduled work day and the employee is required to work	Employee receives an additional day's pay
During Leaves when benefits continue	Holiday is counted as a holiday, not a leave day
During Leaves when benefits discontinued	Employee does not receive holiday pay or additional time off
During excused absence when related to Worker's Compensation	The portion of the day not covered by Worker's Compensation pay is counted as a holiday.

7.19 VACATION AND SICK LEAVE

Each regular, full-time employee accrues annual and sick leave on the 15th day of each calendar month as set forth in the charts below. For the calendar month employment begins, leave time will only be accrued if employment starts prior to the fifteenth of the month.

VACATION ACCRUAL AND USAGE

Years of service at the start of the month	Average workweek 37.5 hours	Average workweek 40 hours	Sworn Police Personnel	Fire Personnel
Less than 7 years	7.5 hours	8 hours	8.5 hours	12 hours
Employed 7 or more years, but less than 14	9.38 hours	10 hours	10.63 hours	15 hours
Employed 14 or more years, but less than 21	11.25 hours	12 hours	12.75 hours	18 hours
Employed 21 or more years	13.13 hours	14 hours	14.88 hours	21 hours

Employees who transfer to the City from another North Carolina municipality will receive years of service credit in determining eligibility for vacation accrual.

Requests to take annual leave should be made as far in advance as possible, but not more than one year in advance. This allows for you and your supervisor to prepare for your time off and assure that all staffing needs are met. You must use annual leave in one week blocks unless specifically approved by your supervisor. Any conflict in annual leave requests will be decided based on employee City needs.

Supervisor's Responsibility: Supervisors are required to monitor leave accounts and encourage employees to schedule annual leave time so that employees don't lose unused annual leave time and so that there are not excessive time requests during holiday periods and at year end.

Employees will not be eligible to receive pay instead of vacation time, except with City permission or upon termination.

If you are sick during your annual leave period you may not count that day towards sick pay. In addition, you will not accrue vacation during periods when you are taking time off from the City and not working.

Accumulation of Annual Leave and Maximum Accrual: Employees may carry over unused vacation time from year to year; however, there is a cap on the amount of vacation time employees can accrue. Employees with less than seven (7) years' service may carry over 240 hours of vacation. Employees with seven (7) or more years' service may carry over 360 hours of vacation. Sworn Law Enforcement Officers may carry over 446 vacation hours per calendar year, and Fire Personnel may carry over 466 vacation hours per calendar year.

All annual leave balances over the specified accumulation limits will be converted to sick leave. Converted leave balances will be reflected in the second paycheck in January of the following year.

SICK LEAVE ACCRUAL

	Average workweek 37.5 hours	Average workweek 40 hours	Sworn Police Personnel (207K)	Fire Personnel (207K)
Accrual Rate	7.5	8	8.5	12

The City allows its regular full-time employees to accumulate twelve sick days per calendar year. Give your supervisor as much advance notice as possible, and at least one hour in advance of your shift, if you are going to use sick time off. (See Attendance Policy at 4.8). There may be emergency situations, such as sudden illness, when you cannot notify your supervisor in advance. In those situations, you must inform your supervisor of your circumstances as soon as possible. If you are out for three (3) or more days, your supervisor may require you to provide a note from your health care provider upon returning to work.

You may use sick leave benefits for the purpose of dental or doctor visits as well as to care for immediate family members who are sick. There may also be state mandated use of sick time. You may be required to use available sick leave during family and medical leave, disability leave, or other leave. Unused sick days may not be converted to a cash payment.

Accumulation of Sick Leave: Sick time will accumulate without limit. Retirement credit can be obtained for accumulated sick leave time in accordance with the North Carolina Local Government Employee's Retirement System.

Transfer of Sick Leave: Sick Leave time accrued at a previous governmental jurisdiction within North Carolina may be transferred upon employment with the City at the request of the employee and with proper documentation from the previous government jurisdiction.

SEPARATION

An employee who separates from City service, involuntary without cause, upon a minimum of a two-week worked notice and returns all issued City property shall be paid for annual leave accumulated to date of separation not to exceed a maximum of 360 hours. Separating employees are eligible for annual leave accrued in the month of termination only if they work through the fifteenth of the month.

Employees retiring from City service may be paid for up to 360 hours of accrued annual leave. Police personnel retiring from City service, subject to section 207k of the FLSA, may be paid up to 446 hours of accrued annual leave, and Fire Personnel retiring from City service, subject to section 207k of the FLSA, may be paid up to 466 of accrued annual leave. Any excess annual leave may be rolled to sick leave prior to retirement.

Employees who are involuntarily discharged are not eligible to receive pay for accrued but unused vacation time upon separation except where the involuntary separation is due to a reduction-in-force. The estate of an employee who dies while employed by the City shall be entitled to payment for all of the accumulated annual leave up to the 240 hour maximum and 360 hour maximum for employees with more than seven years of annual leave. No payment is made of unused Sick Leave.

7.20 REQUESTING LEAVES OF ABSENCE

A leave of absence (leave) is defined as an approved absence from work for a specified period of time for medical, parental, military, or other approved reasons. If an employee finds that he/she must be out of work for more than three days, he/she should contact the Human Resources department to determine if a leave of absence may be necessary. A scheduled vacation is not considered a leave of absence.

Leaves of absence will start on the date of request or date of need. While on leave, an employee must contact the Human Resources department at least every 30 days. Failure to contact HR upon request may result in voluntary termination of employment. Failure to return to work upon the expiration of the leave or refusing an offer of reinstatement for which the employee is qualified will also result in voluntary termination of employment.

Required Documentation

All requests for a leave of absence must be made on a **Leave of Absence Request Form** for the particular leave (FMLA, disability accommodation, military, pregnancy, other medical leave, personal leave, etc.) and submitted to the Human Resources Department. An employee must provide 30 days' advanced notice when the need for the leave of absence is foreseeable; for instance, if medical treatments or other events are planned or known in advance. If the leave of absence is not foreseeable, the employee must provide notice to the Human Resources Department as soon as possible. Medical certifications and/or other documentation supporting the need for the leave may be required.

(See Appendix for Leave Request Form)

Job Benefits

For leaves other than approved FMLA leaves, the City of Salisbury will pay its portion of the cost of the employee's health and dental benefits for the month in which the employee begins leave, at the end of which time a COBRA notification will be issued for the employee to elect COBRA benefits if he or she so chooses.

Family and Medical leaves of absence allow for up to 12 weeks of group health insurance continuation coverage in the same manner as if the employee continued to work. The employee must continue to pay his or her portion of the benefits which may be made by payroll deductions (when applicable) or by check which must be submitted to the Human Resources department each pay period unless other arrangements have been made. If the employee fails to pay his or her portion of the benefits for more than 30 days, the employee's coverage(s) will be terminated and the employee will be offered COBRA to continue benefits coverage.

Accrued Leave

While on leave, employees may be required to use any accrued annual or sick time. Leave benefits will not accrue while an employee is on leave. Except as otherwise provided by law, time spent on a

leave of absence, except for military reserve duty, will not be counted as time employed in determining an employee's eligibility for benefits that accrue on the basis of length of employment.

Return to Work

Before returning to work, an employee who has taken leave due to his or her own medical condition will be required to take a fitness for duty exam or otherwise provide medical clearance to return to work. Employees out for 90 days or more are required to take a drug test before returning to work.

7.21 FAMILY AND MEDICAL LEAVE OF ABSENCE POLICY

The City complies with the Family and Medical Leave Act of 1993 (FMLA), as amended.

Under the FMLA, the City provides up to 12 weeks of unpaid benefits and job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care, or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, parent, or in the case of military leave – next of kin, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the essential functions of the employee's job.

Eligible employees are those who have worked for the City for a total of 12 months and have worked at least 1,250 hours in the twelve months preceding the request for FMLA leave.

Eligible employees may take 12 weeks of Family and Medical Leave in a 12-month period. The 12-month period is calculated on a rolling basis looking back from the time the employee requests FMLA leave.

Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or called to covered active duty status may use their 12-week leave entitlement to address certain qualifying needs. Qualifying needs may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is: 1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, or is otherwise on the temporary disability retired list for a serious injury or illness*; or 2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

*The FMLA definition of “serious injury or illness” for current service members and veterans is distinct from the FMLA definition of “serious health condition”.

During FMLA leave, the City will maintain the employee’s group health coverage on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees will be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee’s leave.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the essential functions of the employee’s job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days that also involves continuing treatment or supervision by a health care provider, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

An employee does not need to use this leave entitlement in one block. Except in the case of post-pregnancy leave due to child birth, leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the city’s operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

FMLA leave generally is unpaid. However, the City requires employees to use all accrued paid leave concurrent with FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the City’s normal paid leave policies. Use of paid leave does not extend an employee’s 12 week (or 26 week, as the case may be) leave entitlement.

Employees must provide 30 days advanced notice of the need to take Family Medical Leave when the need is foreseeable. When 30 days’ notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the City’s normal call-in procedures.

Employees must provide sufficient information so that the City can determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform essential job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees will be required to provide a certification and periodic recertification supporting the need for leave.

If you have any questions about Family Medical Leave, please contact Human Resources.

7.22 MILITARY LEAVE [USERRA]

The City complies with applicable federal and state law regarding military leave and re-employment rights. The City will grant unpaid military leave of absence to members of the uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994 (with amendments) and all applicable state law. Employees are required to submit appropriate documentation of the need for the leave to Human Resources prior to the leave unless military necessity makes this impossible. The City will reinstate an employee returning from military leave of absence to his or her previous or similar job in accordance with state and federal law. The employee must notify his/her manager of the intent to return to employment based on requirements of the law. For more information regarding status, compensation, benefits and reinstatement upon return from military leave, please contact Human Resources.

For up to a maximum of 14 days per calendar year, the employee will be paid their regular hourly rate for the standard work schedule and the military pay received. This payment depends upon verification of military pay received.

All Benefits and the accrual of leave times continue for up to 30 calendar days after military leave begins.

7.23 JURY DUTY AND WITNESS LEAVE

If you are summoned for jury duty, please make scheduling arrangements with your supervisor as soon as you receive your summons or subpoena. Employees must provide verification of a subpoena or the time spent in court. Employees released from jury duty after four (4) hours or less are required to report to work for the remainder of their shift.

Employees who serve jury duty will receive paid leave for up to 30 days. Any payment received from the court must be signed over to the City and forwarded on to Human Resources. After 30 days, jury duty will be unpaid unless the employee chooses to substitute paid vacation leave for unpaid leave.

The City also will offer paid leave to any employee who is subpoenaed to appear in court as a witness. However, paid witness leave may not be used for time spent in court as a plaintiff or for time spent in political or civic activities. An employee must use vacation leave for those activities.

7.24 BEREAVEMENT LEAVE

The City of Salisbury recognizes the importance of taking leave on the occasion of a death in the family. Employees are entitled to up to three (3) consecutive days off with pay for the funeral of an immediate relative: mother, father, guardian, sister, brother, spouse, child, mother-in-law, father-in-law, grandparent, or grandchild, plus combinations of half, step, in-law, and adopted relationships that can be derived from those named.

Employees are entitled to one (1) day for the death of a relative other than an immediate family member.

Employees are entitled to four (4) hours to attend the funeral of a co-worker.

Authorized leave without pay is available for extended funeral matters or employees may request to use annual leave time for additional leave. Personal leave time may also be taken when necessary. Employees taking bereavement leave must notify Human Resources of their intention to do so. The City may request documentation to support absences for bereavement leave.

7.25 MENTOR PARTNERSHIP LEAVE

The City of Salisbury encourages employees to participate in community service through the **City's Mentor Partnership Program** including tutoring, acting as a role model and providing leadership to children in the community.

An employee must receive certification from the Mentor Program Partner indicating that the employee has met the specific program criteria and has been accepted into the partner's program and received approval from his/her Department Head. The employee should submit a completed **Request for Mentor Partnership Leave Form** to the Human Resources Department.

Employee will receive one hour of leave per week (no more than 48 hours a calendar year) to participate in the partnership leave program.

(See Appendix for Mentor Partnership Leave Form)

7.26 ADMINISTRATIVE LEAVE

The City may require an employee take administrative leave time off from work in one or more of the following situations:

- To investigate alleged misconduct
- To legally determine guilt
- To provide a cooling off period in situations of anger or hostility
- To determine employment status while time for deliberation or review is necessary

A Department Head may unilaterally impose the leave but must, as soon as practicable, obtain the concurrence of the Human Resources Director. When possible employee misconduct is involved, the leave should be based on an allegation or reasons to suspect that an employee's misconduct on the job or the commission of a crime is such that, if found guilty, the consideration of the employee's dismissal would be warranted.

Although there is no time limit, the employee's situation should be examined at least weekly to determine if continuation of the leave is still warranted. Administrative leave may be paid or unpaid, depending on the circumstances and approval of the Human Resources Department and City Manager. In most circumstances, paid administrative leave will not extend beyond 30 days. However, the City Manager may approve additional paid administrative leave in appropriate circumstances.

7.27 EDUCATION LEAVE

An employee with at least 12 months of service may request up to six (6) months of education leave. The leave taken must be for education courses recommended and approved by the employee's Department Head and the City Manager.

Pay may be full pay, partial pay or no pay as approved by the City Manager prior to the leave.

Benefits and the accrual of leave times continue for at least the first 30 calendar days of leave. The City Manager may approve additional benefits and leave time in appropriate circumstances.

7.28 WORKERS' COMPENSATION COVERAGE

Workers' compensation insurance covers work-related accidental injuries and occupational diseases as defined by state law. With the review and authorization of the North Carolina Industrial Commission, the City pays for:

- Related medical treatment (by medical providers chosen by the City)
- Income compensation for periods of extended absences
- Compensation for permanent disabilities or disfigurement

Workers Compensation Conditions

The following conditions are based on State law and procedural requirements:

- Prompt and accurate reporting of accidents, injuries, and medical treatment by employees and supervisors to the City and by the City to the North Carolina Industrial Commission.
- Coverage is only for accidental injuries and occupational diseases arising out of and in the course of employment with the City.
- When an accident, near accident, or injury occurs on the job, a test for alcohol consumption and presence of non-prescribed drugs may be performed where (A) there is a reasonable possibility that drug/alcohol use may have been a contributing factor to the reported injury or accident, and (B) the injury or accident resulted in medical treatment beyond first aid or property damage in excess of \$100. Drug testing under this section will be applied in a neutral fashion, to foster a safe work environment, and only to identify drug/alcohol use in the recent past. Testing under this section will not be undertaken to retaliate against employees for reporting workplace injuries. Positive results may lead to the denial of Worker's Compensation benefit.

Worker's Compensation coverage may be jeopardized if an employee fails to promptly report an accident or injury to supervision. Except for emergencies, the City will only be financially responsible for treatment authorized by the City or the North Carolina Industrial Commission or by the referral of an authorized physician.

Workers' Compensation Coverage and Personal Vehicular Accident

If an employee sustains an injury as a result of a vehicular accident while operating a personal vehicle and performing City business, drug and alcohol testing will be required to establish benefits under the Workers' Compensation Act of North Carolina. This does not apply to the usual and customary practice of routine going and coming from work. These benefits will be forfeited in the event the employee is consciously involved in one or more of the following acts:

- Deviation from the assigned duty or destination
- Operation of a vehicle while under the influence of alcohol/drugs
- Willful involvement in horseplay
- Willful participation in a fight

Workers' Compensation benefits are compensable as the sole remedy for personal injury and do not cover any private property such as the motor vehicle.

Workers' Compensation for "Call-Back" Employees

Worker's Compensation coverage generally does not apply "going to and coming from work" during usual and customary hours. However, should an employee be directly summoned by his/her department/division to respond to an emergency situation (i.e. fire, civil disturbance, water problem, road hazard or inclement weather) the "Special Errand" rule exception will be applied. Injuries considered to arise out of and during the course of employment may be deemed compensable.

Compensability will be determined on a case-by-case basis with careful consideration given to the greater weight of evidence establishing the proximate cause of the injury.

Prohibitive Acts

The following factors may constitute a claim denial:

- Violation of State Motor Vehicle Law
- Alcohol consumption
- Illegal drug use
- Negligent horseplay/fighting
- Distinct departure from the most direct route to and from the worksite

City policy regarding accidents involving contributing factors on behalf of the employee, require that drug and alcohol testing be administered following an injury.

The willful participation in such prohibitive acts or violations of policy can jeopardize claim benefits and result in disciplinary action up to and including dismissal.

8.0 SAFETY AND LOSS PREVENTION

8.1 GENERAL SAFETY POLICY

Every City employee is responsible for maintaining a healthy and safe work environment. Please report all safety hazards and occupational illnesses or injuries to your supervisor immediately and complete an occupational illness or injury form as needed. Failure to follow the City's health and safety rules can result in disciplinary action, up to and including termination of employment.

The following actions are required for all on the job accidents or injuries:

- Report incident to supervisor as soon as it has occurred

- Treat the injury with first-aid, visit the City nurse practitioner or an Emergency Room as appropriate (accompanied by a supervisor)
- Supervisor is required to complete the North Carolina Industrial Commission Form #19 and forward it to the Risk Manager within 24 hours

The following guidelines should follow for vehicular accidents while on the job:

- Secure medical attention for all injured parties
- Don't move vehicles until advised by a Police Officer or the Risk Manager
- Notify Supervisor/Manager and Risk Manager
- Stay at the scene until advised by a Police Officer or the Risk Manager
- When the on-the-scene investigation is complete, move the vehicle to Fleet Management for an assessment of damages

If investigating parties determine that an employee (driver) is identified with a contributing factor to an accident or property damage exceeds \$100, the employee must submit to drug and alcohol testing. This will be accomplished by the City's designated drug testing provider during regular operating hours. After hours testing will be performed at an Emergency Room of Novant Health Care. The employee will be accompanied by the immediate supervisors or designee, and will be prohibited from operating any vehicular equipment for the remainder of the shift.

8.2 LIGHT OR MODIFIED DUTY

Purpose and Eligibility

The health and welfare of all our employees is a priority to the City of Salisbury. Employees who are unable to perform the full range of their normally assigned duties because of an injury, illness, pregnancy, or post-partum recovery may be eligible for light or modified duty assignment in anticipation of such employees' return to work.

"Light Duty" Defined

"Light duty" or "modified duty" is temporary work that is physically or mentally less demanding than the employee's normal job duties.

Duration

Light or modified duty work may be made available to employees as long as meaningful assignments are available, but typically for no longer than a six (6) month period per condition. At the end of such six (6) month period, a review will be conducted with the treating physician and/or the City of Salisbury's designated medical provider to assess ongoing treatment plans to determine whether such light or modified duty should be continued. Continuation of light or modified duty shall be in six (6) month increments with a new review being conducted after each six (6) month period. The City reserves the right to assess ongoing treatment plans before the expiration of any six (6) month period, if in the opinion of the City's Risk Manager, circumstances occur that warrant such review.

Voluntary

Acceptance of light or modified duty is voluntary on the part of the employee except that an employee injured on the job may be ineligible for workers' compensation if the employee declines a light or modified duty assignment that has met the approval of the employee's attending physician.

The offer of a light or modified duty assignment to employees must be made in writing. The employee shall indicate acceptance or refusal of an offer of light or modified duty by signing and dating the offer. Refusal to sign such offer will be treated as a rejection of such offer for light or modified duty. An offer for light or modified duty employment will expire automatically if not signed and returned to the office of the Risk Manager within two business days after such offer is made, absent extenuating circumstances.

Medical Certification

Prior to any light or modified duty assignment, a medical doctor must certify (1) that the employee is unable to perform the essential functions of such employee's regular duties; (2) that the inability to perform such duties and the condition causing such inability are temporary; and (3) that there is no risk of contagion or infection to other employees if such employee is granted such light or modified duty assignment.

In the case of workers' compensation injuries, such certifying doctor must be acceptable to the City of Salisbury and its Workers' Compensation Insurance Carrier.

No employee will be permitted to work light or modified duty if in the opinion of a physician the performance of the light or modified duty work might slow the employee's recovery or aggravate the employee's condition. As a condition of accepting a light or modified duty assignment, the City of Salisbury reserves the right to require a review by its designated medical provider(s) at any time.

Priority Assignment

Priority of an assignment of an employee to light or modified duty shall be initially to the department where such employee is generally assigned. If such assignment is not possible, such employee may be assigned to another department able to utilize the services and functions which the employee is capable of satisfactorily performing.

Applicability of FMLA and other Regulations

Under no circumstances will an employee whose condition entitles him/her to leave under the FMLA be required to accept a light or modified duty assignment; an employee who refuses light or modified duty does not lose his/her right to take FMLA Leave. However, in the case of a work-related injury, an employee may be ineligible for workers' compensation if such employee declines a light or modified duty assignment that has met the approval of the attending physician.

Miscellaneous

An employee assigned to light duty may wear clothing modified to accommodate the employee's specific condition as long as the clothing does not interfere with the employee's ability to carry out

assigned job duties. In no event, however, will the wearing or use of safety-related equipment as required by the employee's department or job duties be modified.

Compensation for an employee assigned to light duty will be the responsibility of the department to which such employee is assigned, unless the reassignment is the result of an injury or accident covered by workers' compensation. If the reassignment is the result of a workers' compensation injury or accident, the employee's home department is responsible for payment of his/her salary until he or she is released by the physician to return to his/her regular job. The rate of pay for the light duty will be based on the duties performed. Employees injured on the job may also be entitled to worker's compensation benefits based on the difference between their compensation for light duty and their normal compensation, in accordance with North Carolina Workers' Compensation Law.

(See Appendix for Fitness for Duty Evaluation Form)

8.3 TOBACCO USE POLICY

A tobacco-free environment helps create a safe and healthy workplace. Smoking and secondhand smoke are known to cause serious lung diseases, heart disease and cancer. The City of Salisbury recognizes the hazards caused by tobacco use and exposure to secondhand tobacco smoke. Our policy to provide a tobacco-free environment for all employees and visitors was established to keep a safe and healthy workplace environment. This policy applies to both employees and non-employee visitors of the City of Salisbury.

No use of tobacco products including cigarettes, e-cigarettes and "spit tobacco" will be allowed within the facilities of the City of Salisbury at any time. This includes all facilities directly controlled or operated by the City of Salisbury and all vehicles owned or leased by the City. Smoking or tobacco use shall be permitted only in areas designated by the City Manager. All materials used for smoking in designated smoking areas, including cigarette butts and matches, must be extinguished and disposed of in appropriate containers. The City of Salisbury will help employees who want to quit smoking by helping them access recommended smoking cessation programs and materials. Any violations of this policy will be handled through the standard disciplinary procedure.

8.4 POLICY AGAINST VIOLENCE

The safety and security of our employees, residents, tenants, vendors, contractors, and the general public is of essential importance. Threats or acts of violence made by an employee against another person's life, health, well-being, family, or property will not be tolerated. Any act of intimidation, threat of violence, or act of violence committed against any person on City property is prohibited. The following definitions apply:

- Intimidation: A physical or verbal act toward another person, the result of which causes that person to reasonably fear for his or her safety or the safety of others.
- Threat of violence: A physical or verbal act which threatens bodily harm to another person or damage to the property of another.
- Act of violence: A physical act, whether or not it causes actual bodily harm to another person or damage to the property of another.

Workplace violence includes, but is not limited to intentional harassment, physical attack, property damage, and/or verbal or written threat of such acts, or actions that are perceived as violent or threatening and which investigation confirms were reasonably interpreted to be violent.

No person shall possess or have control of any firearm, knife or other deadly weapon while on City property, except as required in the lawful course of business or as authorized by law.

The following are prohibited:

- Any act or threat of violence made by an employee against another person's life, health, well-being, family, or property.
- Any act or threat of violence, which endangers the safety of employees, residents, tenants, vendors, contractors, or the general public.
- Any act or threat of violence made directly or indirectly by words, gestures, symbols, or email.
- Use or possession of a weapon on the City's premises.

Employees are prohibited from the use or possession of a weapon of any kind on City property. Employees who are required to possess a weapon as part of their job duties are exempt from this provision; however, they may not use their weapon in violation of this policy. All violators, employees and non-employees, will be prosecuted to the fullest extent of the law.

It is a requirement that employees report to their supervisor or Human Resources, in accordance with this policy, any behavior that compromises the City's ability to maintain a safe work environment. All reports will be investigated immediately and kept confidential, except where there is a legitimate need to know.

Employees who violate this policy may be subject to criminal charges as well as discipline up to and including immediate termination of employment.

9.0 TRADE SECRETS AND NON-COMPETITION

9.1 EMPLOYEE NON-COMPETITION

To preserve the integrity and profitability of City of Salisbury, employees are prohibited from engaging in activities that compete or conflict with those of the City. As a general rule, employees are prohibited from working for, or on behalf of, competitors or clients of the City. The City is also concerned about the employee's spouse or partner working for a competitor or client of the City.

If you, your spouse or partner has, or enters into, a relationship with a competitor or client of the City that creates or potentially creates a conflict of interest, promptly notify your supervisor. The City of Salisbury reserves its right to terminate your employment should it be determined there is an actual or potential conflict under the circumstances.

All sales persons and other employees or contractors who regularly utilize City trade secrets, such as customer lists, are required to sign independent non-solicitation and confidentiality agreements.

9.2 CONFIDENTIALITY AND NON-DISCLOSURE OF TRADE SECRETS

As a condition of employment, City employees are required to protect the confidentiality of City trade secrets and confidential information. Employees may come into contact with customer lists, operational or manufacturing procedures, or other confidential information. Access to this information should be limited to a "need to know" basis and should not be used for personal benefit, disclosed, or released without prior authorization from a supervisor. Employees must take all steps to maintain confidentiality by keeping physical information in a secure location and ensuring all electronic information is password-protected.

Any employee who has information that leads them to suspect that an employee or competitor is obtaining the City's confidential information is required to inform his/her supervisor or Human Resources.

Unauthorized disclosure of trade secrets, or other confidential information, may result in the discipline or termination of any employee, as well as subject the employee to civil liability. Employees may not disclose or communicate in any manner, directly or indirectly, information about the City, its operations, clientele, or any other information that relates to the business of the City, including, but not limited to, the names of its customers or clients, its marketing strategies, operations, or any other information which would be deemed confidential, a trade secret, a customer or client list, or other form of proprietary information of the City. **All requests for information should be directed to the City Clerk.** If you believe you must disclose confidential information, you may do so only after obtaining prior authorization from your supervisor. Any breach of this provision, or of any other confidentiality and nondisclosure obligation, may result in discipline up to and including termination.

If an employee becomes aware that this policy has been violated, the employee should contact the Fraud Hotline at (704) 216-7534.

10.0 CUSTOMER RELATIONS

10.1 PRODUCTS AND SERVICES KNOWLEDGE

As an employee of City of Salisbury, you are expected to be familiar with the products and services we offer. Take every opportunity to learn the interrelationship between your department or division and the others of the City. We consider our employees to be the best reflection of our business brand and City success.

10.2 CUSTOMER, CLIENT AND VISITOR RELATIONS

We strive to provide the best products and services possible to our customers and clients. Our customers and clients support this city and generate your wages. You are expected to treat every customer, client, or visitor with the utmost respect and courtesy. You should never argue or act in a disrespectful manner towards a visitor or customer. If you are having problems with a customer, client, or visitor, please notify your supervisor immediately. If a customer, client, or visitor voices a suggestion, complaint, or concern regarding our products or services, please inform your supervisor or a member of management.

Lastly, please make every effort to be prompt in following up on customer, client, or visitor orders or questions. Positive customer, client, and visitor relations will go a long way to establishing our City as a leader in its field.

11.0 CLOSING STATEMENT

11.1 CLOSING STATEMENT

Thank you for reading our Employee Manual. We hope it has provided you with an understanding of the City's mission, history, and structure as well as our current policies and guidelines. We look forward to working with you to create a successful city and a safe, productive, and pleasant workplace.

12.0 ACKNOWLEDGMENT OF RECEIPT AND REVIEW

12.1 ACKNOWLEDGMENT OF RECEIPT AND REVIEW

By signing below, I acknowledge that I have received a copy of the Employee Manual and understand that it is my responsibility to read the Employee Manual in its entirety. I agree to comply with the rules, policies, and procedures set forth herein, as well as any revisions made to the Employee Manual in the future. I also understand that if I violate the rules, policies, and procedures set forth herein that I may be subject to discipline, up to and including termination of my employment.

I understand that the Employee Manual contains information about the employment policies and practices of the City of Salisbury. I understand that the policies outlined in this Employee Manual are management guidelines only, which in a dynamic organization will require changes from time to time. I understand that the City of Salisbury retains the right to make decisions involving employment as needed in order to conduct its work in a manner that is beneficial to the employees and the organization. I understand that this Employee Manual supersedes and replaces any and all prior Employee Manuals and any inconsistent verbal or written policy statements.

I understand, that except for the policy of at-will employment which can only be changed by the City Manager, the City reserves the right to revise, delete, and add to the provisions of this Employee Manual at any time without further notice. I understand that no oral statements or representations can change the provisions of this Employee Manual. I understand that this Employee Manual is not intended to create contractual obligations with respect to any matters it covers and that the Employee Manual does not create a contract guaranteeing that I will be employed for any specific time period. I understand nothing in this manual is created to infringe on any available legal rights.

I understand that this Employee Manual refers to current benefit plans maintained by the City of Salisbury and that I must refer to the actual plan documents and summary plan descriptions as these documents are controlling.

If I have questions about the content or interpretation of the Employee Manual, I will ask my supervisor or Human Resources.

Date

Signature of Employee

Print Name



Complaint Form

It is City of Salisbury policy to investigate all complaints and take appropriate action. Please use this form to document your complaint and submit it to your immediate supervisor and/or Human Resources.

Your Name	Title
Department	Supervisor/Department Head
The person(s) involved in this complaint are:	
Relief Sought:	
Description of complaint <i>(Please include any relevant dates, locations, events etc. pertaining to the complaint. Attach a separate sheet if necessary):</i>	

It may become necessary to disclose your identity and/or complaint, as well as to conduct a formal investigation. Should such a disclosure become necessary, it will be only to the person(s) with a need to know your identity or the details and nature of the complaint.

I acknowledge that I have read this document and understand my obligation to provide information as needed and to cooperate fully and completely with any investigation of this complaint.

Signature _____

Date _____

HR Representative Signature _____

HR Representative (Print Name) _____

Date _____



DRUG TESTING POLICY

OVERVIEW

In order to provide the best level of service to our citizens, the City of Salisbury employees must refrain from the abuse of alcohol, controlled substances and prescription drugs. To this end, the City has established the following Drug Testing Policy. **The guidelines and procedures outlined below are applicable to all City employees.** Additionally, the Department of Transportation has promulgated alcohol and drug testing requirements for all employees who hold a Commercial Driver's License (CDL). This procedure will explain the process for assuring compliance with these regulations, and the procedures for maintaining a safe work environment free of alcohol and drugs.

STANDARD:

Alcohol - No employee shall report for duty or remain on duty while having an alcohol concentration of 0.01 or greater. No employee shall possess or consume alcohol while on duty. No employee shall perform safety sensitive functions within four hours after consuming alcohol. No employee required to take a post- accident or personal injury test shall use alcohol for eight hours following the accident, or until he/she undergoes a post-accident alcohol test, whichever occurs first.

Controlled Substances - No employee shall report for duty or remain on duty when the employee uses any controlled substance, except when the use is recommended on the advice of a physician pursuant to a legal prescription and the physician has advised that the substance does not adversely affect the employee's ability to safely operate a motor vehicle. No employee shall report for duty or remain on duty if the employee tests positive for controlled substances.

Prescribed Medications - All employees taking prescribed medications and/or over the counter medication that could impair their ability to carry out their job duties safely must report this to their immediate supervisor.

DEFINITIONS:

Chain of Custody - Procedures designed to assure proper handling, labeling, identification, confidentiality and documentation of urine test samples.

Commercial Motor Vehicle - Self-propelled or towed vehicle used on public highways in commerce to transport passengers or property when (a) vehicle has a gross vehicle weight rating or gross combined weight rating of 26,001 or more pounds or (b) the vehicle is used in the transportation of hazardous materials in quantities requiring placards.

Drug - A controlled substance as defined in North Carolina General Statute 90-87(5) or a metabolite thereof. These substances include but are not limited to marijuana, cocaine, heroin, prescription drugs, alcohol, opiates, amphetamines and "designer drugs" or "look-alikes"

Employee Assistance Program (EAP)

Counseling services are available to City of Salisbury employees to help them deal with personal problems including substance abuse issues. Employees subject to this policy with substance abuse problems are encouraged to seek assistance before potentially risking their jobs.

High Risk or Safety Sensitive (HRRS Category) Positions

- Positions requiring the operation of vehicles, machinery, equipment or the handling of hazardous materials, the mishandling of which may place the employee, fellow employees or the general public at risk of serious injury or the nature of which would create a security risk in the workplace.
- Positions where the incumbent's mental fitness is necessary to minimize or prevent the risks described in 1.
- Positions which require a Commercial Driver's License as regulated by the Department of Transportation.

HRSS Category Employee - Any employee permanently or temporarily assigned to an HRSS category position.

HRSS Category Applicants - All final applicants for HRSS category positions including current City employees not already employed in an HRSS category position.

Mandatory Testing - Testing conducted on applicants for HRSS positions as a condition of employment or upon employees in certain HRSS positions as a condition of continued employment in that job or another position (see "Testing of Employees").

Medical Review Officer (MRO) - A licensed physician responsible for receiving certain laboratory results generated by an employer's drug testing program who has knowledge of substance abuse disorders, and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result together with his/her medical history and any other relevant biomedical information.

Pre-employment Test - All applicants who have received an offer of employment from the City are required to undergo drug testing prior to employment. Offers of employment will be contingent on successfully passing drug testing. Such tests may include urine and blood analysis. Confirmed positive drug test results that cannot be substantiated by medical evidence of legitimate prescribed drug use will be cause for disqualification. Applicants will be advised of any disqualification under this policy.

Post-Accident Test - This test will be given immediately to any City employee involved in an accident, which is defined as either causing an accident or being injured in an accident, in the following circumstances: (1) when the controlled substance test is conducted pursuant to state or federal law;

or (2) where there is a reasonable possibility that employee drug or alcohol use could have contributed to the accident or injury. For the purposes of this policy, "injured" is defined as requiring medical attention more extensive than minor first aid administered on-site or losing time from work to recover from the injury. In addition, the testing requirement is mandatory for all City employees involved in an accident while driving a City vehicle where the police report determines fault is with the City employee or property damage exceeds \$100. Supervisors are responsible to make all reasonable efforts to assure that the employee undergoes post-accident testing.

Random Testing - This is an unannounced drug test given to a predetermined percentage of HRSS employees. These employees are selected in a statistically sound random selection process from a pool of all eligible employees.

Reasonable Suspicion

Reasonable suspicion is the belief that an employee or applicant is using, or has used, drugs or alcohol in violation of the City's policy. This belief shall be based upon specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the employee. The observations must be made by a trained supervisor. For example:

- Direct observation of drug use and/or the physical symptoms or manifestations of being under the influence of a drug (slurred speech, alcohol smell on breath, incoherence, loss of coordination, etc.). These observable signs will be discussed during the training sessions.
- Evidence that an employee may have tampered with a specimen or drug test during his/her employment with the City.

Reasonable Suspicion Testing - Testing of an employee or applicant based on actions sufficient to cause reasonable suspicion, as defined herein, that he/she has violated this policy. Supervisors must document reasonable suspicion within 24 hours using the form provided.

"Safety Sensitive Function" (as defined by the USDOT) - Relating to CDL drivers, any of those on duty functions as listed below:

All time at the City waiting to be dispatched, unless the driver has been released from duty.

All time inspecting equipment as required by the Federal Motor Carrier Safety Regulations or otherwise inspecting, servicing, or conditioning a commercial motor vehicle at any time.

All time spent at the driving controls of a commercial motor vehicle.

All time, other than driving time, spent on or in a commercial motor vehicle.

All time loading or unloading a commercial motor vehicle, supervising, or assisting in the unloading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded.

All time spent performing the driver requirements associated with an accident.

All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

Substance Abuse - Excessive use of lawfully obtained prescription drugs, over the counter drugs or alcohol when such use substantially impairs job performance, alters behavior and/or creates a risk to the health and/or safety of the employee or others. Use of illegal drugs or controlled prescription drugs obtained unlawfully or used without regard to the prescribing doctor's directions. A finding of alcohol abuse will be based on an employee testing at a blood level of .01 or more while at work.

Verified Controlled Substance Test Result - Test result confirmed by the laboratory and a Medical Review Officer (MRO).

RESPONSIBILITIES:

Employee Responsibilities - An employee must:

- Not report to work or be subject to duty while his/her ability to perform job duties is impaired due to alcohol or drug use on or off duty.
- Not possess or use illegal drugs or alcohol, or have the odor of alcohol or drugs on his/her breath or person during working hours, on breaks, during meal periods, while on City property or while operating any City equipment or vehicles.
- Not directly or through a third party sell, distribute or provide drugs or alcohol to any person or to any other employee while either employee or both employees are on duty, "on-call", in uniform, on City property or operating City equipment.
- Submit immediately to reasonable requests for testing when requested by a supervisor or other City representative. Refusal shall constitute insubordination and will normally result in immediate dismissal.
- Notify his/her supervisor, before beginning work when taking any medications or drugs, prescription or non-prescription, which may interfere with the safe and effective performance of duties or operation of City equipment.
- Provide, within 24-hours of request, a current valid prescription for any drug or medication identified when a drug screen/analysis is positive. The prescription must be in the employee's name.
- Notify the Salisbury Police Department and Risk Management, or police department in the local jurisdiction, of any accidents and or property damage in a City vehicle and notify the supervisor of any type of accident and or property damage.

Failure to comply with these responsibilities or any other reasonable request by a responsible supervisor or other City representative may result in immediate disciplinary action, including termination.

Management Responsibilities - Management shall:

- Disseminate this policy and any subsequent revisions to all employees.
- Support supervisory training.

- Contract for specimen collection with a reliable medical provider.
- Contract for specimen analysis with a laboratory with appropriate certification(s).
- Provide employees with an Employee Assistance Program (EAP), with access to counseling for a limited amount of visits.
- Comply with and enforce this policy uniformly throughout City government.

Supervisory Responsibilities

Supervisor shall:

- Disseminate this policy and any subsequent revisions to all subordinates.
- Attend and utilize all scheduled training.
- Comply with this policy and enforce it consistently.
- Prevent any employee reasonably believed to be under the influence of drugs or alcohol from working and arrange for testing if appropriate.
- Upon an employee's refusal to submit to testing, remind the employee that testing is mandatory and that refusal to participate is insubordination and will normally result in dismissal.
- Arrange for escort and transportation of employee to a testing facility. Instruct an employee believed to be under the influence of drugs or alcohol to wait for a reasonable time before attempting travel without assistance or arrange for transportation if necessary.
- Inform the Salisbury Police Department, Human Resources and Risk Management if they have reasonable suspicion that an employee is in possession of illegal drugs.
- Inform any employee experiencing unexplained changes in work performance or behavior of the availability of assistance through EAP.

Supervisory Restrictions

Supervisors shall **not**:

- Forcibly detain any employee.
- Search an employee's person, personal belongings, possessions or personal vehicles. A search may only be conducted in the event of life threatening conditions.

BASIS FOR TESTING:

Mandatory Testing and Random Testing of Employees - The City will use Mandatory Testing or Random Testing only to the extent that the City is required by law, or in order to comply with the recommendations or requirements of a professional "standards" group such as the North Carolina Criminal Justice Training and Standards Commission, or the National Fire Protection Association (NFPA).

To comply with U.S. Department of Transportation requirements and City policy, unannounced drug tests will be given to a predetermined percentage of active employees which will include drivers with a **commercial driver's license**. These employees are selected in a statistically sound random selection process from a pool of all employees. Random alcohol tests shall be given annually to at least 10 percent of the average number of employees. Random alcohol tests must be given just before, during or just after performing safety sensitive functions, to serve as a deterrent to drinking on the job. Random controlled substances testing shall be administered to at least 25 percent of the average number of employee positions. In the event an employee who is selected for a random controlled substances test is on vacation or extended leave, the City can either select another driver for testing or keep the original selection confidential until the driver returns. Once an employee has been told that he/she has been selected for a random test, the employee must be escorted by a supervisor immediately to the testing site. The employee cannot continue to perform a safety sensitive function once notified. The Human Resources Department will inform supervisors and employees when to go for random testing.

Post-Accident

Reasonable Suspicion

Follow-up Testing - Under Department of Transportation regulations and City Policy, if an employee is allowed to return to duty following referral, evaluation, and treatment, a minimum of 6 unannounced alcohol and/or drug tests will be required during the next 12 months of employment. Follow-up testing may continue for up to 60 months following return to duty at the City's discretion, based on recommendations from the EAP.

TRAINING:

Employee Training - Employees will receive training to explain the Substance Abuse Policy and Standard Procedure. The City will sponsor or conduct a drug education program which will be available to employees to emphasize the dangers of substance abuse. The session will present information concerning:

- The effects and consequences of controlled substance use on personal health, safety and the work environment
- The behavioral changes that may indicate controlled substance use or abuse
- The procedures for specimen collection, and the strict limitations on the disclosure of information to the employer

- The person to contact with questions, the conduct that is prohibited, the consequences of refusing to test, testing positive or above 0.01 for alcohol.

Employee training will also emphasize the following adopted principles:

- Possession, use, transfer, distribution or sale of alcohol, illegal drugs or controlled prescription drugs obtained unlawfully while in uniform, while working, on City property or while operating City equipment or vehicle is prohibited and is an offense for which dismissal of an employee is permitted.
- Reporting for work or working while under the influence (whether or not legally intoxicated) of any drug that adversely affects the ability of an employee to operate equipment or vehicles or to conduct his/her duties is prohibited.
- All areas and property (City vehicles, lockers, etc.) which the City controls or maintains joint control over with the employee are subject to search by management Human Resources if there is reasonable suspicion of substance abuse. Warrants or written consent will be obtained if it is necessary to search areas beyond the City's control (i.e. an employee's person) except for substance abuse testing as described in this policy. **Any other search without consent or warrant is only permitted in the event of life threatening conditions.**
- Nothing in this policy shall be construed to guarantee a test or to excuse the behavior of an employee under the influence of drugs (or not) if that behavior would normally result in disciplinary action. In such cases, normal disciplinary steps up to and including termination, should be taken.
- Whenever appropriate, employees who are substance abusers will be encouraged to seek rehabilitation.

Employees will sign the training statement.

Supervisory Training - The City will provide mandatory training to all supervisors to enable them to identify the symptoms of substance abuse. Supervisors will be trained in evaluation techniques so that they can assess each situation and decide whether reasonable suspicion exists to conduct drug or alcohol testing. Further, supervisors will learn the criteria which trigger post-accident testing. Supervisors will also be trained in the proper procedure for referring an employee for drug testing, including the required forms.

PROCEDURES FOR TESTING:

An alcohol or drug test may be needed for **Post-Accident**, **Random** or **Reasonable Suspicion** testing. If not administered within two hours of the incident, the supervisor will prepare and maintain on file a record stating the reasons the test was not administered. Supervisors should continue to attempt to get the employee tested. If the alcohol test is not administered within eight hours, or the drug test is not performed within 32 hours, the City will not attempt to administer the test, and will state on the form why the test was not administered.

A. Alcohol Testing Procedures

All alcohol testing will be performed immediately before, during or immediately after performing safety sensitive functions. If an employee refuses to undergo the alcohol test, the results will be handled as though a 0.01 or greater result had been obtained.

An employee must be escorted to the testing facility. The testing will be performed in an area which gives privacy to the employee.

For employees with a CDL, the technician will use a DOT certified testing device. The Breath Alcohol Technician will open a sealed mouthpiece and attach it to the equipment. The employee will blow forcefully into the device.

If adequate breath is provided, the device will immediately register and display a result. If the result is less than 0.01, no further testing is authorized, and the results will be sent in a confidential manner to the City and stored by the City in a confidential manner.

If a result is 0.01 or greater, a confirmation test must be performed to verify the initial test. This test will occur between 15 and 20 minutes after the first test. If the results differ, the confirmation test results will be considered the valid test.

Both the employee and the technician will sign and date the test results.

If the employee does not provide an adequate amount of breath, the City will direct the employee to seek a medical evaluation, at the employee's expense, as soon as possible from a licensed physician who is acceptable to the City. The physician will state in writing if there is a medical condition which prevents the employee from providing the necessary breath. If there was a medical reason, the City will reimburse the employee for his or her expenses. If the physician states there is no medical reason, the employee will be considered to have refused the test, appropriate measures will be taken by the City.

B. Substance Abuse Procedures

The City will contract with medical facilities who are certified by the Department of Health and Human Services, and who follow the procedures established by them. The City will contract with health care professionals for collecting specimens and conducting analysis. Chain of custody procedures for sample collection and testing will be utilized to ensure proper record keeping, handling, labeling and identification of samples. The City will only use a laboratory for analysis which has received appropriate certification(s). Appropriate measures shall be taken to ensure confidentiality and accuracy of results.

The employee shall be escorted to the designated location by a supervisor or other official. The supervisor will arrange for the employee to obtain assistance in leaving upon completing the collection process. In cases of continued serious impairment the supervisor should contact the Salisbury Police Department for assistance.

The employee will be asked to show a picture ID, and will be asked to leave excess clothing such as coats outside the collection area. The employee will have privacy while providing the specimen. If the collection site employee believes tampering of the specimen has occurred, a second specimen

will be immediately collected perhaps under the direct observation of the collection site person of the same gender.

The specimen will be split into two bottles, so that the second specimen may be analyzed if a positive result is obtained from the first. The employee will have 72 hours from being notified that it is positive to request and pay for the analysis of the second specimen. The specimen will be sealed and labeled and the employee will sign the chain of custody form and initial the seal on the bottle. Refusal to cooperate with the requests of the collection site person will be handled the same as a verified positive test result.

For pre-employment testing, applicants will be scheduled for testing by the Human Resources Department.

The laboratory will report positive test results to a Medical Review Officer (MRO). The MRO will contact the employee to give the employee the opportunity to discuss the test results. It is in the best interest of the employee, and is required by the City, to cooperate fully with the MRO by returning phone calls immediately and providing whatever information the MRO requests. If the MRO cannot reach the employee, a designated City official will be called and told to contact the employee, who will be ordered to contact the MRO. The MRO may deem it necessary to discuss issues with the employee's private physician or pharmacist to determine if there is a basis for the positive test result.

Under the **split sample** collection procedures, the employee has 72 hours following notification of a positive result to request the secondary sample be analyzed at his or her expense. After the MRO makes a determination, the City will receive a report in a confidential manner.

CONSEQUENCES OF POSITIVE TESTS:

No City employee with an alcohol test result of .01 or greater shall drive for the City for at least 24 hours following the administration of the test. If the confirmed alcohol breath test result is 0.01 or greater the employee will be subject to disciplinary action up to termination.

Any City employee with a verified controlled substances test result and/or alcohol breath test with a confirmed result of 0.01 or greater will be directed to seek assistance from the Employee Assistance Program (EAP), and will be terminated. If a City employee receives a citation for driving under the influence either on or off duty, that employee will be not allowed to drive a City vehicle until the City receives the test results, and then if positive, for one year.

Refusal of Testing - An employee who refuses testing must be advised that he /she will be terminated for refusal of testing.

In **post-accident** situations, for an alcohol test, if 2 hours elapse the supervisor will document the reasons the test was not administered promptly. If the employee has not received an alcohol test within 8 hours, the City will stop trying to get the test, and the supervisor will document the reasons. In the case of a drug test, if the employee has not submitted to the test within 32 hours, the City will stop trying, and will document the reason. The required form is to be used to document refusal of testing.

If the employee is sufficiently impaired that they may not understand the consequences, they should be placed on sick leave (or LWOP if sick leave is not available). The employee is required to submit to an alcohol test immediately, but no later than 8 hours in a post-accident situation. (In the event of a fatality, or if cited for a moving violation and the vehicle is towed or someone seeks medical attention away from the scene of the accident).

Challenges to Results - An applicant or employee has 72 hours from being notified of a positive result to request that the split specimen be tested, at the employee's expense.

Temporary employees who test positive may be released without recourse or appeal.

Applicants who refuse testing will no longer be considered for an HRSS category position.

EMPLOYEE ASSISTANCE PROGRAM

In cases where an employee announces he/she has a substance abuse problem, the employee will be referred to the Employee Assistance Program (EAP) for evaluation, referral and treatment. If it is determined that the employee requires rehabilitation, the EAP will assist in selecting a program of rehabilitation for the employee. The employee may use accumulated sick leave while participating or will be granted leave without pay (LWOP). In either case, sick leave and LWOP separately or in combination may not exceed 90 days without an extension approved by the City Manager or his designate. Reinstatement may be contingent upon certification by the treatment provider that the employee has successfully completed the initial structured treatment program.

In cases where an employee tests positive following a random, reasonable suspicion or post-accident test and following a positive confirmation test, employees shall be referred to the City's EAP provider and termination will be immediate.

While the initial consultations with EAP are at no cost, the expense of any treatment program is the employee's responsibility.

CONFIDENTIALITY

Confidentiality - The reports or test results may be disclosed to management on a strictly need-to-know basis and to the tested employee upon request. Disclosures, without employee consent, may also occur when:

- (1) The information is compelled by law or by judicial or administrative process.
- (2) The information has been placed at issue in a formal dispute between the employer and employee.
- (3) The information is to be used in administering an employee benefit plan.
- (4) The information is needed by Human Resources for the diagnosis or medical treatment of the patient who is unable to authorize disclosure.

The Human Resources Department shall keep confidential records of test results, EAP referrals and employment status. Access to these records by Human Resources employees shall be controlled and limited to employees designated by the Human Resources Director.

Information will be released only as required by law or as expressly authorized.

An employee shall have access to any of his/her alcohol and drug records upon written request.

The City must allow any DOT authorized agency access to facilities and records in connection with the City's substance abuse program.

When requested, the City will disclose post-accident testing information to the National Transportation Safety Board as part of an accident investigation.

The City will make records available to a subsequent employer only upon receipt of a written request from the employee.

The City may disclose information to the employee or to the decision-maker in a lawsuit, grievance or other proceedings initiated by or on behalf of the individual, or in accordance with other legal proceedings. This may include workers compensation, unemployment compensation, or other proceeding relating to a benefit sought by the employee.

Off-The-Job Behavior - An employee charged with a drug or alcohol related offense off the job may be placed on non-disciplinary suspension in accordance with existing policy and practice. An employee convicted of a drug or alcohol related offense may be disciplined up to and including termination.

Other Considerations - This policy does not create any legal rights to City employment which do not otherwise exist. Should any provision of this policy or procedure be ruled invalid or unconstitutional, the ruling shall not affect or impair any of the remaining provisions.

Special Consideration - Police - Effective July 1, 1990, all applicants for employment as criminal justice officers, as well as veteran officers applying for lateral transfer to a new agency, were subject to drug testing rules adopted by the Criminal Justice Education and Training Standards Commission. Should the City's Substance Abuse Policy or this Standard Procedure conflict with the Commission's rules now or in the future, then the Commission's rules shall take precedence.



HIGH RISK or SAFETY SENSITIVE (HRSS) POSITIONS

CATEGORIES AND CRITERIA

The following summary is provided as an example of the job related criteria which justify the inclusion of certain positions into HRSS categories. While the summary is descriptive of some of the job related concerns, it is not intended to be comprehensive and all inclusive.

Public Safety and Public Safety Support Positions - Incumbents in all fire, police, and communications positions are responsible for complying with and enforcing the law. They are entrusted with performing critical emergency and safety services and with the lives and safety of the public. Incumbents in safety support positions respond to emergency assistance calls, dispatch vehicles, have access to controlled police related information such as criminal records and have access to confiscated evidence such as illegal substances and to public safety communications. Incumbents must avoid conflicts of interest and compromises of security, must inspire credibility as an enforcer of laws and as witness in court.

Equipment and Motor Vehicle Operator Positions - Incumbents who operate mechanical equipment, drive sanitation trucks, dump trucks, fire apparatus, automobiles, vans, etc., in the course of their employment with the City. The Department of Transportation has strict guidelines for those employees who have a Commercial Driver's License.

Incumbents must work without drug or alcohol impairment, where faulty operational judgment may endanger the health and safety of the employee, co-workers or the public, or may result in material loss of equipment and increased risk of financial liability to the City.

Hazardous and Safety Risk Positions - Incumbents who work with or around potentially hazardous and/or dangerous materials, chemicals, tools, equipment, machinery, facilities and/or work areas (work at heights, in confined spaces, etc.).

Incumbents must work without impaired judgment or impaired physical ability resulting from drug or alcohol consumption or avoid injury to themselves, co-workers and/or the public and where impaired judgment may result in material loss of equipment or property.



Educational Reimbursement Form

Print clearly, complete form, obtain required signatures and forward to your Human Resources Director.
Application must be submitted and approved prior to enrollment.

Name		Contact number:		Email address:	
Position		Department		Supervisor/Department Head	
<p>I have read and understand the City's Educational Reimbursement Plan Yes ____ No ____</p> <p>I have successfully completed my probationary period Yes ____ No ____</p> <p>School Name: _____</p> <p>Program Name: _____</p> <p>School Address: _____</p>					
Development Objective					
<p><i>Please describe what long-term goal is this program/course(s) intended to help you reach:</i></p>					
Course Information					
Course Name		Credit Hours		Course Start & End Date	
Tuition Cost \$ _____		Receipt of payment attached Yes ____ No ____		Final Grade _____	Amount to be reimbursed: \$ _____

Educational Reimbursement Form (Page 2)

Print Name and Signatures required:

Employee: _____ Date: _____

Department Head: _____ Date: _____

Human Resources Director: _____ Date: _____

Finance Director: _____ Date: _____

Approval

This request is: Approved _____ Denied _____ Date: _____

Reason (if denied): _____

I understand that if this request is approved, reimbursement will be contingent upon successful completion (a grade of C or better) of each course and submission of all receipts and paid bills within sixty (60) days thereafter.



FITNESS FOR DUTY EVALUATION FORM

To be completed by treating physician

Employee:
Date of Impairment (Worker's Compensation only):
Diagnosis:
Prognosis:

This evaluation form will help the City determine the employee's ability return to work. A copy of the employee's job description is attached. Please complete the following items based on your clinical evaluation. Any item that you do not believe you can answer should be marked N/A.

A. Can this employee perform the duties of his/her position? Yes No

If "No" please complete remainder of form.

B. Please identify any job duties that the employee is unable to perform or restricted in performing.

C. If you conclude there are any job duties that the employee cannot perform, are there any modifications or changes to how the work is typically done that would permit the employee to perform the essential functions of the position? Please indicate in the space below or use the following chart to show the number of times per day this employee can safely perform the following functions during an 8 hour work day:

	<i>Not at all</i>	<i>Occasionally</i>	<i>Frequently</i>	<i>Continuously</i>
1. Sit	_____	_____	_____	_____
2. Stand	_____	_____	_____	_____
3. Walk	_____	_____	_____	_____
4. Drive	_____	_____	_____	_____
5. Bend/Stoop/Kneel	_____	_____	_____	_____
6. Squat	_____	_____	_____	_____
7. Crawl	_____	_____	_____	_____

8. Climb	_____	_____	_____	_____
9. Push/Pull	_____	_____	_____	_____
10. Crouch	_____	_____	_____	_____
11. Reach	_____	_____	_____	_____
12. Twist	_____	_____	_____	_____
13. Other	_____	_____	_____	_____
14. Lift/Carry				
Up to 10 pounds	_____	_____	_____	_____
11-24 pounds	_____	_____	_____	_____
25-34 pounds	_____	_____	_____	_____
35-50 pounds	_____	_____	_____	_____
51+ pounds	_____	_____	_____	_____

15. Repetitive action

Fingering/Handle	_____	_____	_____	_____
Other	_____	_____	_____	_____

D. Are medications prescribed for the recovery process? ____Yes ____ No If yes, please explain,

E. If you have concluded that the employee is not currently able to perform one or more of the essential functions of the employee's position, please provide your medical opinion as to the expected duration of any restrictions: _____

F. Is there a significant risk of harm to the health or safety of the employee or to others if the employee performs the duties of his/her position? In answering this question, please consider only valid medical or other objective evidence concerning whether there is a specific risk to a particular individual.

Comments: _____

G. Are there any accommodations or changes in the work that would eliminate any direct threat identified in question F, above? _____

Physicians Name (Please print)_____ Phone: _____

Physicians Signature _____ Date: _____

PLEASE RETURN THIS COMPLETED FORM TO OUR EMPLOYEE. THE EMPLOYEE WILL RETURN THIS FORM TO THE HUMAN RESOURCES DEPARTMENT TO ACCOMDATE WORK RESTRICTIONS.

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of any individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we are asking that you not provide any genetic information when responding to this request for medical information. "Genetic information", as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family members receiving assistive reproductive services.



Grievance Form

It is City of Salisbury policy to investigate all complaints and take appropriate action. Please use this form to document your complaint and submit it to your immediate supervisor and/or Human Resources.

Date Submitted: _____

Received by: _____ (print name and signature required)

Your Name	Title
Department	Supervisor/Department Head
Grievance Step: (circle one) 1 2 3	
The person(s) involved in this complaint are:	
Description of complaint <i>(Please include all fact, including relevant dates, locations, events, names of persons involved, policy/policies violated etc. pertaining to the complaint. Attach a separate sheet if necessary):</i>	
Relief Sought:	

It may become necessary to disclose your identity and/or complaint, as well as to conduct a formal investigation. Should such a disclosure become necessary, it will be only to the person(s) with a need to know your identity or the details and nature of the complaint.

I acknowledge that I have read this document and understand my obligation to provide information as needed and to cooperate fully and completely with any investigation of this complaint. Failure to observe time limits as described in the Grievance Policy will result in loss of appeal rights.

Signature _____ Date _____

HR Representative Signature _____

HR Representative (Print Name) _____ Date _____



Leave Request Form

Date _____

Name _____

Department/Title _____

Dates Requested:

_____ through _____ returning _____

Type of Leave:

☐ Annual Leave

☐ Sick Leave

☐ Other _____

Total Number of Hours Requested _____

Number of Hours Available _____

Employee Signature

Date

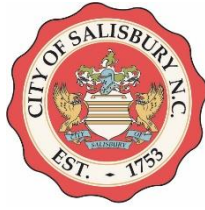
Supervisor Print Name

Supervisor Signature

Date

Approval is subject to change by supervisory discretion, and is contingent upon use of leave time and available accrual balance.

PLEASE ATTACH A COPY OF COMPLETED FORM WITH YOUR TIME CARD



Mentor Partnership Program

Purpose: This policy provides an opportunity for employees to participate in community service through the City's Mentor Partnership Program. The City is committed to contributing to the community as a corporate partner. To this end the City encourages employee participation in the identified *Mentor Partnership Programs*. Mentoring provides opportunities to tutor, act as a role model and provide leadership to children in the community. Under this policy an employee shall be granted a total of 4 hours of paid leave per month for this purpose.

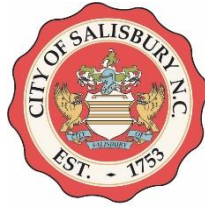
Eligibility: An employee who expresses an interest in the program and meets the criteria required by the Mentoring Program partners is eligible. Requests for such leave shall be granted in accordance with the guidelines listed below.

The employee will be required to furnish certification from Mentoring Program Partner indicating that the employee has met the specific program criteria and been accepted into the partners' program.

An employee may receive a maximum of 48 hours of leave each calendar year through the Mentor Partnership Leave Program.

Process: An employee who wishes to request leave through the Mentor Partnership Leave Program must submit a completed Request for *Mentor Program Application* provided by the Human Resources Department and the certification Mentoring Program Partner, as well as the department head's approval.

Accounting and Usage Procedures: The employee shall document and submit Mentor Partnership Leave Usage in accordance with time card/sheet guidelines. The Human Resources Department shall maintain a list of employees participating in the Program.



Mentor Program Application

Instructions: Please complete the information below and submit to the Human Resources Department. Also, attach Mentoring Program Partner Certification form documenting acceptance in the Partners' program.

Employee Name _____

Department _____

Department Head (print name) _____

Employee Statement:

This is to request participation in the City of Salisbury's Mentor Partnership Leave Program. I have expressed an interest in the Mentoring Program, met the specified criteria and received an invitation of acceptance. A copy of the necessary acceptance is listed in the attached statement. I am requesting Mentor Partnership Leave not to exceed 48 hours per calendar year.

Employee's Signature

Date

Department Head Comments:

Department Head Signature

Date

Approved by _____

HR Staff Member Name (Printed)

Date

HR Staff Member Signature _____



Request for Accommodation Form - Disability

If you request an accommodation for a disability, please complete and submit this form to Human Resources as soon as possible. You may be required to provide medical documentation confirming the disability. The City of Salisbury will consider the request but reserves the right to offer its own accommodation to the extent permitted by law. The City will consider the effect that an accommodation will have on current established policies and any undue burden on operations, when determining a reasonable accommodation.

Name		Home Phone		Work Phone	
Position		Department		Supervisor/Department Head	
Nature of the qualifying disability:					
Requested/Suggested Accommodation					
<i>Please describe the accommodations you believe are needed to enable you to perform the essential functions of this job.</i>					
Physician Contact Information					
<i>Human Resources may contact your physician requesting information on your disability and recommendations for accommodations.</i>					
Physician Name		Phone		Fax	
Address		City		State	Zip
I authorize the release of necessary confidential medical information regarding my disability to relevant hiring managers as deemed necessary by Human Resources. I also attest to the fact that a copy of the position description has been given to me for review and reference.					
Signature _____ Date _____					



Request for Religious Accommodation Form

The City of Salisbury is dedicated to treating the religious diversity of all employees equally and with respect. The City will consider the request but reserves the right to offer its own accommodation to the extent permitted by law. The City will contemplate the effect that an accommodation will have on current established policies and any undue burden on operations when determining a reasonable accommodation.

Name		Home Phone	Work Phone
Position	Department		Supervisor/Department Head
Requested/Suggested Religious Accommodation			
<i>Please describe the accommodations you believe are needed to enable you to perform the essential functions of this job. (Attach separate sheet if necessary).</i>			
Signature _____ Date _____			
HR Staff Signature _____ Date _____			



Request for Approval of Secondary Employment Form

The employment responsibilities to the City of Salisbury are primary for any employee working full-time; any other employment in which that person chooses to engage is secondary. An employee shall have approval from the City before engaging in any secondary employment. The purpose of this approval procedure is to determine that the secondary employment does not have an adverse effect on the primary employment and does not create a conflict of interest.

Secondary employment shall not be permitted when it would: create either directly or indirectly a conflict of interest with the primary employment, or impair in any way the employee's ability to perform all expected duties, to make decisions and carry out in an objective fashion the responsibilities of the employee's position.

Approval for secondary employment may be withdrawn at any time if it is determined that secondary employment has an adverse impact on primary employment.

Date Submitted: _____

Received by: _____ (print name and signature required)

Your Name	Title
Department	Supervisor/Department Head
Secondary Employment:	
Secondary Employment work schedule (days/times of work):	

Request for approval of Secondary Employment Form (Page 2)

Employee Certification

I understand:

The policy governing secondary employment. My secondary employment will not have any impact on and will not create any possibility of conflict with my primary employment.

That failure to provide accurate information regarding my secondary employment approval request or to follow all policies regarding secondary employment may be considered unacceptable personal conduct which could subject me to discipline up to and including dismissal.

Employee Signature: _____ Date: _____

Approval Signatures:

Approved: Yes _____ No _____

Immediate Supervisor _____ Date _____

Print Name

Signature

Department Head _____ Date _____

Print Name

Signature

Approved: Yes _____ No _____

HR Staff _____ Date _____

Print Name

Signature



TRAVEL AND EXPENSE REIMBURSEMENT POLICY

I. PURPOSE

This policy establishes procedures for authorization of travel and other expenses by City employees, elected officials, and appointed officials for the purpose of conducting City business, and to establish procedures for reimbursement of the cost of authorized travel and other expenses. Any employee or City official traveling on official business is expected to exercise the same care in incurring expenses that a prudent person would exercise if traveling on personal business and expending personal funds.

II. DEFINITIONS AND GENERAL INFORMATION

A. Definitions

- (1) Appropriation - The amount needed for annual travel must be included in each department's annual budget request. This total will include the estimated travel costs of anticipated training and conference trips and the estimated costs of routine travel.
- (2) Authorization - The responsibility for keeping within the travel budget of each activity lies with the individual department. The authorization of all trips involving the use of budgeted funds is as follows:
 - (a) The City Manager must approve travel by the Department Heads.
 - (b) The Department Heads must approve travel by employees within their department.
 - (c) A Department Head may designate individuals to approve travel by employees within their department; however, the responsibility ultimately remains with the Department Head.
- (3) Automobile Allowance - An allowance granted solely at the discretion of and in an amount set by the City Manager or City Council.
- (4) Cancellation Penalties - These are penalties assessed by the airlines on canceled discount tickets, ranging up to 100% of ticket price.
- (5) Discount Fares - These are reduced fares that are available on air travel. These fares generally require Saturday night stayovers and advance purchase of ticket with cancellation penalties. Refundable discount fares are usually lowest on tickets purchased 30 days in advance, but 50% cancellation penalties may apply. Other

discount fares are available for 21, 14, and 7 days in advance tickets, with reduced cancellation penalties applying. Nonrefundable discount fares may be available with minimum advance purchase and required Saturday night stayover.

- (6) Subsistence - Costs incurred during travel for lodging and meals, including tips.
- (7) Ticketing - Ticketing is the actual issuance of an airline ticket. Cancellation penalties may apply once tickets are issued.
- (8) Transportation Costs - Costs incurred for travel by automobile, taxi, rental car, bus, train, or airplane. It includes tolls, parking, fees, and tips for the handling of baggage.
- (9) Travel - The act or status of going from and returning to the normal job location to conduct City business. Commuting to and from an employee's place of residence is not considered travel.

B. General Information

- (1) Combining Business and Vacation - If an employee wishes to combine a business trip with a vacation:
 - (a) The arrangement must be pre-approved by the employee's Department Head.
 - (b) The City will provide only that reimbursement which covers the actual expenses of the business portion of the trip.
 - (c) The employee must specify on the Travel Authorization Form the dates of the conference or meeting and the total days of the trip in order to compute vacation time.
- (2) Travel with Spouse and/or Family - Spouses and/or other family members may accompany an employee on official trips with pre-approval from the employee's Department Head. However, the City provides reimbursement for only those expenses which the employee would normally incur if traveling alone.
- (3) Travel with Someone from Another City - If an employee travels with someone from another City in a car owned by that person or his employer, and if he shares the cost of the trip, he can receive reimbursement for his share only if proper receipts are submitted. This method of travel must receive prior permission from the Department Head.

C. Policy

- (1) The City is committed to minimizing travel cost while providing a reasonable balance between the needs of the City and the needs of the traveler. To accomplish this, employees should seek the best fares and rates available for commercial airfare, hotel/motel accommodations, rental cars, etc. Employees are encouraged

to obtain several quotes or estimates of anticipated travel expenses by using the internet.

- (2) The City will reimburse the employee/official traveling on authorized City business for all legitimate expenses incurred for travel as authorized per this procedure. The Department Head is responsible for monitoring the initial need for the travel, the availability of funds, and conduct so that the cost of travel to the City is held to a reasonable minimum.
- (3) The same procedures for approval and reporting of travel expenditures apply to both in-town and out-of-town travel.

D. Guidelines

- (1) Travel Authorization
 - (a) For all travel, other than travel by the City Manager and elected City officials, the Department Head is responsible for determining that a sufficient unexpended appropriation remains in the department travel budget to reimburse all expected costs of travel. Travel Authorization Form (Form T-101) will be submitted by the requesting party to the Department Head for approval of travel **at least** ten working days prior to the date upon which travel will commence. If the Department Head is the requesting party, Form T-101 should be submitted to the City Manager.
 - (b) The Finance Department, Department Head, and employee will each receive a copy of Form T-101.
 - (c) Authorization of travel requests will be based upon need and cost/benefit of travel as determined by the authorizing party.
 - (d) Use of a City automobile must be approved by the Department Head no later than five working days prior to the date of use. The Department Head may approve on a shorter notice if the situation dictates such action.
- (2) Arrangements, Accommodations, Travel Advances, and Travel Allowances
 - (a) The employee is encouraged to travel with other employees and officials of the City and representatives of other government units when possible to avoid unnecessary expenses. The requesting party will be reimbursed for actual costs incurred only, subject to the limitations established by this policy.
 - (b) Employees without procurement cards may receive a travel advance for overnight travel to avoid personal inconvenience or hardships. Travel advances will be issued at the discretion of the Finance Director. Employees should submit a request for travel advance to the Finance Director **no later** than ten working days prior to travel using Form T-101. The amount of the travel advance may not exceed the estimated out-of-pocket travel cost. Travel advance checks will not be issued unless estimated out-of-pocket expenses are at least \$100. The request for the travel advance should include

a detail breakdown of estimated out-of-pocket expenses. Travel advances will be reconciled with travel expenses when Travel Expense Report (Form T-102) is submitted, **no later** than ten working days after the completion of the approved travel. The Finance Director will not issue a travel advance unless it has been approved. **NO TRAVEL ADVANCE WILL BE ISSUED TO AN EMPLOYEE WHO HAS AN OUTSTANDING TRAVEL ADVANCE WITHOUT BOTH DEPARTMENT HEAD AND FINANCE DIRECTOR APPROVAL.**

III. TRAVEL EXPENSES

A. Transportation

All necessary bus, train, and air transportation will be obtained at the most economical rate available. If there is some doubt as to the best method of travel, the matter should be discussed with the Department Head and, if necessary, the Finance Director. Reimbursements will be made for actual costs incurred and itemized receipt supported. The cost of travel to and from the normal job location or the personal residence of the requesting party and the point of departure/arrival is a reimbursable cost. This includes the cost of taxi service and parking fees.

(1) Travel by Air

- (a) Air travel arrangements should be made via the internet at the most economical fare available under the travel circumstances and time requirements.
- (b) Discount fares should be pursued when travel plans are definite and discount conditions exist such as a Saturday night stayover. Approval of Saturday night stayovers, unrelated to regular City business, will be considered on an individual basis. This will require a net economic benefit to the City due to the lower fare savings. Such decisions are required to be made by the Finance Director.
- (c) Cancellation penalties, which range up to 100% of the ticket price, are to be avoided in all but emergency circumstances. Cancellations caused by medical problems can usually be made without penalty if certified by a physician.
- (d) Only tourist (coach) class air travel may be used by City employees unless approved otherwise by the Department Head.
- (e) Travelers should be flexible as to time of day, carrier selection, and routing to obtain the lowest possible fare.
- (f) Frequent flyer points may be retained by a City traveler provided the traveler has obtained the lowest fare possible with any carrier. Selection of higher fares or the manipulation of routes for the purpose of accruing value points is prohibited.

(2) Travel by Vehicle

- (a) City Vehicles - City vehicles may be used for any authorized travel and should be used whenever possible. The requesting party must obey all laws of the jurisdiction in which the automobile is being operated. The automobile will be used for the purpose of conducting City business only. A de minimis amount of personal use, such as driving the automobile to and from dinner, will be allowed. Non-City employees may accompany City employees if they have a business interest in the travel. Spouses and children of City employees may accompany them in City-owned vehicles if space is available and the trip is strictly for official City business. Reimbursement will be made for repairs, gasoline, oil, storage, parking, tolls, and other necessary expenses for the use of the City vehicle. A paid receipt must support all reimbursement requests of this nature, except for tolls. The employee will provide the Garage with a record of such services. Any employee operating a City-owned vehicle should use the same care that a prudent person would use if operating his/her own personal vehicle. Travel by City vehicle outside the State of North Carolina must be approved by the Department Head.
- (b) Personal Vehicle – If a City vehicle is not available for authorized travel, the City will reimburse an employee who drives his or her personal vehicle for business purposes, unless the employee already receives an automobile allowance. The City will reimburse the employee for mileage driven at the established federal rate as outlined in the IRS regulations. No reimbursement will be made for expenses incurred in making repairs or towing of the vehicle. These expenses are covered in the mileage rate. The City will reimburse the employee for parking fees and tolls.

The employee should request reimbursement by submitting a detailed log of business mileage using form T-102.

Any out-of-state business travel using an employee's personal vehicle must be pre-approved by the employee's Department Head. The City will not reimburse an employee for out-of-state travel by personal vehicle if it is more expensive than what it would have cost the employee to reach the same destination by air or train. The cost of tourist or coach class is used for this comparison.

- (c) Rental Vehicles - A rental automobile may be used for business purposes when it is determined that no other mode of transportation is as economical or practical. A de minimis amount of personal use, such as driving to and from dinner, will be permitted. Use of a rental automobile must be approved in advance on Form T-101.

Car rental expense incurred while on City business is reimbursed upon completion of the trip. Rental receipts must be submitted with the expense report for reimbursement. The use of a rental car for business use, which is not pre-approved before the trip, must be clearly justified on the final expense settlement.

The City has approved the use of compact or medium size cars. Larger cars should be used only when the number of city employees traveling or the amount of mileage so dictates.

Liability and collision insurance should be purchased on rental vehicles to protect the traveler and City in case of accidents. Such coverage is not included in the City's regular insurance coverage, and is reimbursable to the employee by the City.

- (d) Local Transportation – The City will reimburse local transportation costs incurred while on out-of-town business. The individual should use the most economical and reasonable form of transportation and obtain receipts when possible, to be submitted with travel reimbursement requests.

B. Subsistence

The City will reimburse employees for the cost incurred for meals during business travel up to the daily or individual meal allowance set and published annually by the federal General Services Administration (GSA). The most common federal meal allowance is \$51 per day. This includes a \$5 incidental expense. If an employee suspects that his/her travel destination may have a higher per diem, he/she should consult the GSA's list of per diem rates. Individual meal expenses are limited to the per meal allowance amounts. The City will not use the GSA "Day of Travel" rates.

Daily Travel (Overnight) – Employees and City Officials may receive allowances for meals for partial day travel according to the following schedule when the partial day is the day of departure or the day of return. Time of departure and arrival must be listed on the reimbursement request.

Breakfast – Depart prior to 6:00 a.m.

Lunch – Depart prior to 10:00 a.m. (day of departure) or return after 2:00 p.m. (day of return).

Dinner – Return after 8:00 p.m. If stopping for dinner would cause the employee to return after 8:00 p.m., when he/she would otherwise have returned before 8:00 p.m., dinner will not be reimbursed.

Receipts are not required to claim reimbursement for meals when the GSA per diem is used. No mixing of allowance and receipt reimbursement will be allowed on a trip.

Meals provided as part of a convention or conference, or included as part of a hotel stay, will not be eligible for per diem reimbursement, regardless of whether the employee chooses to eat elsewhere. For example, an employee/official traveler is not permitted to report his meal cost as part of any conference expense item and also claim the full meal allowance.

Daily Travel (Non-Overnight) – Per IRS regulations, allowances shall not be paid to employees for lunches if travel does not involve an overnight stay. To be eligible for allowances for the breakfast and evening meals employees must:

Breakfast – depart prior to 6:00 a.m. and extend the normal workday by two hours.

Dinner – return after 8:00 p.m. and extend the normal workday by three hours.

Tips: Maximum tip of 20% is allowed in the policy. Tips are a part of the meal amount.

C. Lodging

- (1) Authorization – All overnight stays require pre-approval of the Department Head, or the Department Head's designated official, in order to qualify for reimbursement. The traveler must provide documentation to substantiate the need for overnight lodging. For overnight stays to destinations less than 60 miles from home or office, whichever is closer to destination, the employee must submit written justification for the requested stay to the Department Head and the Finance Director prior to departure. The Finance Director will review the availability of budgeted funds as well as the written justification before granting approval of any overnight stays less than 60 miles away.
- (2) Reimbursement – Each employee is responsible for his/her own request for reimbursement. Lodging expenses will be reimbursed at the actual cost of the room, providing that the employee seeks reasonably priced lodging, subject to the Department Head's approval. Travelers should take advantage of special convention rates. When another person who is not an employee of the City occupies the same hotel room with an employee on an authorized trip, the employee must pay the difference between the single and double room rates.
- (3) City travelers are responsible for no-show fees unless emergency or other approved business reasons cause cancellation. Employees should always obtain a cancellation number from the hotel to protect against no-show billings. The traveler must reimburse the City for any fee it incurs due to the traveler's cancellation for non-emergency personal reasons.

D. Other Travel Expenses

- (1) In-room movies and other personal charges billed to the traveler's hotel/motel room are the responsibility of the traveler and will not be reimbursed by the City.
- (2) The City will reimburse incidental expenses incurred by the City Council, City Manager, City Attorney, Assistant City Manager and Department Heads when hosting special conferences or meetings directly related to City of Salisbury business. The expenses should be identified and reported on the Travel Expense Report under the "Other Expense" category and be supported by validated receipts which list the date, description of business discussed, names and organization or company affiliations of persons attending the conference or meeting.
- (3) In the event of canceled travel plans, the traveler must report all non-refundable costs of the trip (i.e. registrations, airfare penalties, etc.) on his expense report and have the report approved according to normal approval procedures. All refunds available should be pursued by the traveler.

- (4) No exception to the stated policy shall be permitted, unless authorized by the City Manager or Finance Director, including the allowable meal allowances.

IV. PROCEDURE

A. General Procedures

- (1) Travel requests, approvals, and the settlement of expenses related to this travel are to be made on the attached City of Salisbury Travel Authorization and Cash Advance (Form T-101).
- (2) Requests for travel should be submitted to the authorizing party.
- (3) The authorizing party will sign and return the Form T-101 to the Accounting Department along with any check requests.
- (4) Upon completion of the trip, the traveler will complete his Travel Expense Report (Form T-102), as explained below, and route it back to the authorizing party for approval of the expense settlement.
- (5) The settlement will then be transmitted to the Accounting Department for processing.
- (6) Copy of travel expense Report (Form T-102) shall be included with p-card statement if statement has charges from trip.

B. Travel Authorization and Cash Advances

- (1) Requests for travel are to be made on Form T-101. The traveler must complete and sign the form indicating the purpose for the trip, times and mode of travel, lodging requirements, estimated cost of the trip, advance checks needed, and non-City traveling companions. This form must be approved by the Department Head.
- (2) Requests for travel, along with any applicable check requests, must arrive in the Accounting Department **at least** ten working days in advance of the proposed travel. Personal advances may be picked up in the Accounting Department during the last five working days prior to travel. No travel advance checks will be issued for estimated out-of-pocket expenses less than \$100.
- (3) Extraordinary or unusual expenses incurred while using a City vehicle for authorized out-of-town travel may be reimbursed from the appropriate vehicle service accounts, rather than a travel expense account. These expenses are reported on Travel Expense Report (Form T-102) under the other expenses caption.

C. Travel Expense Report

- (1) Employees must submit their expense reports **absolutely** no later than ten working days after return from a trip. Failure to do so may preclude any reimbursement at all. Travel Expense Report (Form T-102) must be used. The expenses of one trip must be reported prior to receiving any cash advance for a subsequent trip. Funds

due to the City of Salisbury are to be paid to the cashiers at the business office. The receipt for such reimbursement is to accompany the expense report. Balances due the City, including any cash advance not reported after 30 days from completion of travel, will be deducted from the employee's salary at the maximum rate of \$100.00 per pay period after notifying the employee of their unreconciled travel advance.

- (2) Expense Reports and lodging receipts must reflect no more than single accommodation rates for employees/officials.
- (3) The Travel Expense Report is to be prepared in accordance with instructions in this policy. The employee will complete the expense report and attach original bills and receipts to support the following expenditures:
 - (a) Lodging
 - (b) Transportation Cost
 - (c) Registration fees (a brochure or program of the conference or event)
 - (d) Car rental
 - (e) City vehicle expenditures (repairs, gas, oil, storage, parking, tolls)
 - (f) Meals if not using allowance provisions

If the actual expenses considerably exceed the original estimate, a justification statement must be attached.

- (4) Travel Expense Reports are to be submitted to the Department Head and, when required, to the City Manager for approval and signature. After approval, they are forwarded to Accounting. Settlement of balances due the traveler will then be made from a properly prepared Check Request submitted with the report. If the travel has no associated expenses, the completed travel form will be maintained by the Department after final approval.
- (5) The Finance Department will approve payment for balances due the traveler.
- (6) In the event of a disallowed or excess expense claim, Accounting will return the Travel Expense Report for modification and, if needed, collect payment due the City. The Department Head will assist Accounting in collecting such amounts from the employee, if necessary.
- (7) Any employee who willfully misstates his travel expense and is duly reimbursed for such, shall subject himself to disciplinary action, including dismissal, and may be liable for criminal prosecution as provided by law.

- (8) The Travel Expense Report must be used to report any travel expenses (both in-town and out-of-town) or requests for reimbursement of meal expenses.
- (9) Submit copy with any p-card receipt when p-card statement is turned in.

V. OTHER REIMBURSABLE EXPENSES

Expenses included below are to be reported on the Travel Expense Report under the Other Expenses caption.

- A. The City recognizes that occasionally a City employee might buy meals and non-alcoholic beverages when working with existing or potential contracted agencies and individuals. Employees are expected to use judgment before extending such invitations. Generally, invitations should not be extended by anyone below the manager level and it is required that the manager notify his or her Department Head of his/her intention to extend an invitation.
- B. The cost of meals and non-alcoholic beverages purchased for existing or potential contracted agencies and individuals and their employees will be reimbursed. The amount must be reasonable, authorized, and for bona fide business-related entertainment. Under these circumstances, the cost of meals and beverages for the employee, as well as the contracted agencies' personnel, will be reimbursed.



City of Salisbury Flexible Work Agreement

I am interested in a flexible work arrangement. I recognize that it is my responsibility to help ensure the success of the flexible work arrangement. I recognize that if accepted into the program, I will not assume that the flexible work agreement is permanent. I have read the Flexible Work Policy.

Name: _____

Title: _____

Supervisor: _____

Department/Division: _____

Email: _____

Date: _____

Requested flexible work arrangement:

_____ : Remote Work Location (Telework)

_____ : Compressed Schedule

_____ : Alternative Schedule

Description of requested flexible work schedule (days and times requested)

Workday	Requested work schedule	Comments
Saturday		
Sunday		
Monday		
Tuesday		
Wednesday		
Thursday		
Friday		

The agreement begins on _____ and continues until _____ with periodic check-ins to monitor the appropriateness and effectiveness of the arrangement.

The following items have been identified as keys to a successful flexible work arrangement. Please check the following items if they apply:

- ☐ I have sufficient work that can be completed remotely and maintain the overall productivity and operation of the department
- ☐ I have demonstrated ability to work independently, without close supervision.

- ☐ I am comfortable with technologies needed for remote work.
- ☐ I have the necessary technology (i.e. laptop, desktop, tablet, phone) for conducting remote work
- ☐ I have effective communication with manager, co-workers and customers that will enable a relatively seamless transition from on-site to off-site.
- ☐ My remote work office space is safe and conducive to a productive work environment; see attached home certification checklist
- ☐ I understand that dependent care cannot interfere with the essential functions of the job

- ☐ I have the ability to be flexible about the flexible work arrangement, to respond as deemed necessary by supervisor/management on site to the needs of the customer, workgroup, workload by adjusting my flexible work schedule as requested.
- ☐ I understand expenses related to remote work are my financial responsibility (telephone line, internet connection)
- ☐ I will ensure the lights are turned off, electronics are powered down as appropriate, and HVAC controls are set to conserve energy when my workspace in a city facility is not in use

Please provide the following information concerning your commute: The total number of miles driven round-trip between home and work is: _____

On average, the number of minutes spent commuting from home to work is: _____

Employee Name/Signature

Date

Department Director

Date



Home Safety Self-Certification Checklist

	Yes	No
1. Is the designated workspace clean, safe, and free from distractions?	<input type="checkbox"/>	<input type="checkbox"/>
2. Is the workstation sufficient to accommodate a laptop directly in front of the user with space beside it for papers and reports while reducing obstructions for the legs?	<input type="checkbox"/>	<input type="checkbox"/>
3. Is there adequate room for the monitor to be positioned 16 to 29 inches from the user's eyes?	<input type="checkbox"/>	<input type="checkbox"/>
4. Do you have a UL approved surge protectors for equipment?	<input type="checkbox"/>	<input type="checkbox"/>
5. Are the users forearms, wrists, etc. free from contact with hard, sharp edges?	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the chair stable?	<input type="checkbox"/>	<input type="checkbox"/>
7. Is there adequate light for reviewing the monitor and reading printed materials?	<input type="checkbox"/>	<input type="checkbox"/>
8. Is the monitor screen positioned so there is no glare?	<input type="checkbox"/>	<input type="checkbox"/>
9. Are all electrical cords in good condition?	<input type="checkbox"/>	<input type="checkbox"/>
10. Do you have a designated workspace that is private and secure?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will your files and documents be protected from access by family members and others?	<input type="checkbox"/>	<input type="checkbox"/>
12. Will you secure access to your computer when not in use for an extended period of time?	<input type="checkbox"/>	<input type="checkbox"/>
13. Are your documents and files kept in a protected area when not in use?	<input type="checkbox"/>	<input type="checkbox"/>
14. Do you follow City HIPAA and security procedures for discarding Protected Health Information (both print and electronic)? Do you have a means of shredding your files?	<input type="checkbox"/>	<input type="checkbox"/>
15. Do you have a stable internet connection that is reliable and provides sufficient bandwidth to allow for acceptable work productivity (1mbs download, 786kb upload)	<input type="checkbox"/>	<input type="checkbox"/>

Liability for Injuries – I understand that I remain liable for injuries to any third person or family member on my premises. I agree to defend, indemnify and hold harmless the City from and against any and all claims, demands or liability (including any related losses, costs, expenses and attorney fees) resulting from, or arising in connection with, any injury to person or damage to property caused, directly or indirectly, by the services provided herein by me or my willful misconduct, negligent acts or

omissions in the performance of my duties and obligations under this Agreement, except such claims, demands, or liability arise solely from the gross negligence or willful misconduct of the City.

I understand that I am obligated to comply with all of the rules, practices, and instructions outlined in the Agreement. I understand that violation of any of the above may result in termination of the Flexible Work Agreement.

Employee Name/Signature

Date

Department Director

Date

Risk Manager

Date