City of Grand Island

Tuesday, August 21, 2018
Special Meeting

Item I-3

#2018-244 - Consideration of Approving Revisions to the Personnel Rules and Regulations

Staff Contact: Aaron Schmid, Human Resources Director

Council Agenda Memo

From: Aaron Schmid, Human Resources Director

Meeting: August 21, 2018

Subject: Approval of Revised Personnel Rules and Regulations

Presenter(s): Marlan Ferguson, City Administrator
William Clingman, Assistant Finance Director

Background

The City of Grand Island maintains a Personnel Rules and Regulations manual for City employees. The document contains information on personnel management, general policies, operations, leave policies and benefits. Portions of the Personnel Rules and Regulations are also referenced in the Union labor contracts. Changes to the Personnel Rules and Regulations require Council approval.

Discussion

The last revision to the Personnel Rules and Regulations was on October 15, 2014. Since then, a number of changes have occurred and Administration is recommending an update to the manual. Proposed changes that directly affect the Union contracts have been presented to Union leadership with no objections. Please find below a summary of the proposed changes.

1. Testing for "opiates" will be replaced with "opioids" to account for synthetic varieties of the drug.

2. Tobacco use shall now include e-cigarettes.

3. Employees will be allowed to donate annual leave in addition vacation leave to the Community Leave Bank.

4. Clarification is provided to Community Leave that leave periods include consecutive and intermittent leave.

5. "Accepting and/or" was added to, "soliciting favors, gifts, services, or bribes in the conduct of City business."

6. Clarification is provided that employees must be in an active status on their final day of employment (i.e. cannot “vacation out”).

7. Retirement distribution information will now be referenced by the current plan documents.

8. The City Government Computer Network policy and the Reimbursable Business Travel Expenses policy will be located on the City’s Performance Pro website. This move will reduce the length of the Personnel Rules and Regulations. Council will still have authority over these policies and employees will still acknowledge review of these policies.

9. Temporary and Seasonal employment categories are individually defined as they are separate categories.

10. Promotional step placement is further defined.

11. Leave request language has been updated to reflect the use of MUNIS.

12. Vacation leave has been converted from days to hours. “Years 20 through 24” have been increased to 180 hours and “Year 25 and beyond” has been increased to 200 hours. The increase in hours is an internal equity adjustment to match a union contract.

13. Clarification is provided that part-time employees who work at least 30 hours per week will accrue vacation at a prorated amount.

14. The maximum amount of medical leave has been adjusted to 1,106 hours. Compensation for unused medical leave at retirement has been adjusted to 53%. The changes are an internal equity adjustment to match a union contract.

15. Extended use of medical leave is allowed for immediate family members provided the terms of Family Medical Leave are met.

16. A section on dental insurance was added. In the past health and dental were under one plan. Currently they are separate plans.

17. A section on vision insurance was added. Eligible employees may participate in the plan and pay the full premium.

18. Clarifying language was added to life/accidental death insurance regarding coverage for spouses and children.

19. The terms of the retirement savings plan has been defined. The contributions have been increase to 7.5%. The changes are an internal equity adjustment to match two union contracts.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the revisions to the Personnel Rules and Regulations.

Sample Motion

Move to approve the revisions to the Personnel Rules and Regulations.

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CHAPTER ONE
PERSONNEL MANAGEMENT

Sec. 1.01 WELCOME

Welcome to the City of Grand Island! We want to thank you for joining our team. We believe that each employee contributes directly to the growth and success of our organization. We hope that the employment relationship that we share is a long and mutually rewarding one. The purpose of this handbook is to acquaint you with policies set forth by the City of Grand Island. These Personnel Rules and Regulations state the intent of the Mayor and City Council in providing for the employment conditions and benefits for employees of the City of Grand Island. You should familiarize yourself with the contents of the Personnel Rules and Regulations, as you are responsible for abiding by the rules that are outlined within.

For convenience, in this handbook, we will refer to your employer as ~~The~~ the City of Grand Island, ~~The~~ the City, we, our, or us. If you have questions regarding the material presented here, please feel free to ask your supervisor or call the Human Resources Department.

Again, best wishes for success in your new position with the City of Grand Island!

Sec. 1.02 LEGAL EFFECT

The policies in this manual are subject to change as the City grows and changes. Any changes in this manual shall apply to existing as well as future employees. If and when provisions are formally changed, there will be notification and appropriate replacement documentation will be provided. No statement or promise made by a supervisor, manager, or department head may be interpreted as a change in policy, nor will it constitute an agreement with an employee.

The City Personnel Rules and Regulations are not a contract, expressed, or implied. This handbook replaces (supersedes) all other previous Personnel Rules or Administrative Policies for the City of Grand Island as of ~~October 15, 2014~~ October 14, 2018.

Sec. 1.03 EQUAL EMPLOYMENT OPPORTUNITY

The City of Grand Island affirms its commitment to providing a work environment that does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, sexual orientation, mental or physical disability, marital status, national origin, or genetic information. The City will operate in full compliance with applicable federal, state, and local laws prohibiting discrimination in employment.

This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

Sec. 1.04 SCOPE

The City of Grand Island is made up of several different departments. The departments that are governed by these rules are as follows:

Administration
Building Department
Legal Department
Finance Department
Parks & Recreation Department
Fire Department
Human Resources Department
Police Department
Public Works Department
Public Library
Utilities Department
Regional Planning Department /Community Development
Grand Island/Hall County Emergency Management Department

The following are exempted from these rules:

The Mayor and City Council
Members of appointive boards, commissions, and committees
Independent contractors

Although persons employed as temporary employees, interns, and citizen volunteers are not eligible for benefits under the City's policy, they are still expected to follow the policies set forth as they represent the City.

The City Administrator's Office is governed by the Personnel Rules and Regulations; however, the City Administrator serves at the pleasure of the Mayor.

The City Personnel System shall be divided into two classifications of service, classified and unclassified. Classified service includes all employees governed by the Civil Service Act of the State of Nebraska. Departments that have employees that fall under this category ~~would be~~ are the Police and Fire departments. All other employees of the City are considered unclassified.

All appointments and removals of employees who are in the classified service shall be subject to Civil Service Rules and Regulations.

These rules and regulations apply to all employees of the City except where labor contracts, Civil Service Rules, State statutes, or other City ordinances supersede these rules.

Sec. 1.05 MAYOR AND CITY COUNCIL

The Mayor and the City Council shall be the ultimate policy-making authority for the City of Grand Island. The Mayor as chief executive officer of the City shall be responsible for the proper administration of the affairs of the City. The Mayor is the appointing authority under the Civil Service Act of the State of Nebraska. The Mayor shall upon approval of the City Council, appoint or remove a city administrator, city clerk, city treasurer, city engineer, city attorney, and such other officers as required by law.

The Mayor may designate his/her administrative responsibilities under these rules to the City Administrator, as the Chief Administrative Officer, provided the Mayor may not designate any duties or responsibilities in violation of the State statute. The Mayor has the right to approve or disprove any personnel actions taken pursuant to these personnel rules.

CHAPTER TWO
GENERAL POLICIES

Sec. 2.01 APPLICATION PROCESS

The City's Human Resources Department is responsible for the posting of all employment opportunities. Vacancies will be advertised publicly as well as internally. Equitable consideration will be given to all applicants.

The City may refuse to consider an applicant or place his/her name on an eligibility list for any of the following reasons:

- The applicant lacks the minimum qualifications stated in the official job description.
- The applicant has been found guilty of a crime of such a nature as to render the applicant unsuitable for the job for which application is being made.
- The applicant has been dismissed or resigned for disciplinary reasons from any employment within the past five years for a cause that would constitute a cause for termination under these rules.
- The applicant has made a false statement on his/her application.
- The applicant is deemed unfit to perform the duties of the job for which application is made as indicated by unfavorable reports received from references or by character or medical investigations.
- The applicant does not hold a valid driver's license when required by the nature of the job.
- The applicant for a position is a member of the same household and/or an immediate family member within the same supervisory chain of command. An immediate family member would be any of the following; spouse, child (including stepchildren), sibling, parent, grandparent and in-laws of the same relation. Family members are otherwise eligible for employment with the ~~city~~ City provided they are not in the same supervisory chain of command.

Sec. 2.02 SEXUAL AND OTHER UNLAWFUL HARASSMENT

The City of Grand Island is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered harass-

ing, coercive, or disruptive. Actions, words, jokes, or comments based on an individual's sex, race, color, national origin, age, religion, disability, sexual orientation, or any other legally protected characteristic will not be tolerated. All men and women are to be treated equally with dignity and respect.

Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This form of employee misconduct undermines the integrity of the workplace and will not be tolerated. The following is a partial list of examples of sexual harassment:

- Unwelcome sexual advances – physical or verbal.
- Offering employment benefits in exchange for sexual favors.
- Making threats after a negative response to sexual advances.
- The use of derogatory comments, epithets, slurs, or jokes.

If an employee experiences or witnesses sexual or other unlawful harassment in the workplace, it must be reported immediately to his/her supervisor and the Director of Human Resources. All allegations of sexual harassment will be quickly and discreetly investigated. Any supervisor or Director who becomes aware of possible sexual or other unlawful harassment is to report it immediately to the Human Resources Director. If the Human Resources Director is not available, report to the City Attorney.

An employee shall not suffer retaliation for coming forward with a complaint of harassment. Anyone engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination. Retaliation against someone that makes a complaint of harassment is strictly forbidden. An employee that feels that they have been retaliated against for coming forward with a complaint should make their supervisor and the Human Resources office aware of it immediately. Should the Human Resources Director be unable to handle the complaint, it should be forwarded to the Legal Department.

Sec. 2.03 DRUG-FREE WORKPLACE

The City of Grand Island is committed to providing a safe work environment. The City prohibits the distribution, manufacture, possession, sale, use, transfer, transport, or purchase of illegal drugs, or being under the influence of alcohol or drugs at the workplace, on City premises, or in City vehicles. Any violation of this policy is subject to discipline up to and including termination, for the first offense.

The substances that are prohibited include but are not limited to the following:

- Alcohol
- Cannabinoids (marijuana, hashish)
- Depressants (tranquilizers)
- Hallucinogens (PCP, LSD, "designer drugs" etc.)

- Narcotics (heroin, morphine, etc.)
- Stimulants (cocaine, methamphetamines, etc.)

Any employee convicted of violating a criminal drug statute must inform the City of such a conviction (including pleas of guilty and no contest) within five (5) days of the conviction occurring. Failure to inform the City will subject the employee to disciplinary action, up to and including termination for the first offense. By law, the City will notify the federal grant agency or contracting officer within ten (10) days of receiving such notice from an employee or otherwise receiving notice of such conviction.

The City reserves the right to offer employees convicted of violating a criminal drug statute, the opportunity to participate in a rehabilitation or drug abuse assistance program, at the employee's expense, as an alternative to discipline. If such an opportunity is offered and accepted, the employee must successfully complete the program before returning to their position as a condition of employment.

The City shall test all applicants who have been offered a position with the City prior to starting their new job. Job placement is contingent on the results of the drug testing. The City will test for the following substances for all new hires;

- Amphetamine/Methamphetamine
- Cannabinoids
- Cocaine metabolites
- ~~Opiates~~ Opioids
- PCP

The City reserves the right to test any employee that it has reasonable cause to believe is under the influence of alcohol or drugs while in the workplace.

Any employee that is involved in a worker's compensation claim involving an injury or an accident involving an injury requiring medical attention shall be required to submit to a drug test for cause. Additionally, if an employee is operating a city vehicle and is involved in a reportable accident while in the operation of said vehicle, there shall be drug testing for cause. Any employee involved in any such injury or accident shall immediately notify his or her supervisor and the Human Resources Department so that immediate arrangements can be made for drug testing to be promptly carried out.

The City shall also maintain a testing program as is required by the U.S. Department of Transportation (DOT). This program will apply to employees in job classifications that require a Commercial Driver's License (CDL). Employees in this classification will receive additional information in the orientation process from the Human Resources Department.

Sec. 2.04 DRESS CODE

Clothing on the job must be in good taste, clean, neat, and reflect the requirements of the working conditions. A neat, well-groomed appearance is important to assure professionalism and competence in the workplace. The responsibility for determination of what is appropriate for a department will be made by the Department Director.

First and foremost, common sense and safety must apply. Employees who are required to work in the outside elements should dress appropriately for their own protection. However, the clothing should be clean and well maintained.

If an employee wears a uniform, the uniform should be worn properly and kept well maintained. The uniform identifies them as a City of Grand Island employee and proper care of the uniform reflects favorably on them and the City. Uniforms should never be worn after hours in public where alcohol is served.

OFFICE/CLERICAL/RECEPTION:

Examples of appropriate dress for male employees include:

- Suits, sport coats, dress or casual slacks, dress shirts, polo shirts, ties, and sweaters.
- Ties are not required on a daily basis. Ties should be worn when the employee is meeting with representatives from other companies, dignitaries, or for any other formal dress purpose.
- Footwear should be in good repair and polished. Dress, casual, or cowboy boots are acceptable.
- Hair should be clean and well kept. Facial hair should be neatly trimmed.
- Hats shall not be worn ~~on~~ by office~~/~~, clerical~~/~~, or reception employees.

Examples of appropriate dress for female employees include:

- Dresses, skirts, casual or dress slacks, sweaters, blouses, polo shirts, and jackets.
- Dresses, skirts, dressy or business capris and full skorts may not be more than two inches above the knee.
- Casual or dress shoes should be kept clean and well maintained.
- Footwear should be in good repair and polished.
- Hair should be clean and well kept.

Examples of Inappropriate Dress include:

- Jerseys, shorts, sweat suits, leggings, cotton or denim capris, mini-skirts, halter styled tops or dresses, tube tops, tops with spaghetti straps, exceptionally tight, low-cut or revealing clothing are not appropriate for the workplace.
- “Flip-flops” are not appropriate footwear.
- Accessories and cosmetics should be worn conservatively,

- Body piercing other than traditional earrings should not be visible while at work.

Exceptions - Fieldwork

- If approved by the Department Director, employees who are required to work out-of-doors during the summer months are allowed to wear shorts-clean, in good taste (no short-shorts or cut-offs) and appropriate t-shirts (along with their City identification) or t-shirt bearing the City of Grand Island logo.
- Employees who are required to work out-of-doors during the winter months should wear appropriate footwear, including boots, and/or over-shoes.

Casual Day Wear:

The City Administrator may designate a day that employees can dress in casual attire.

- Jeans and capris (denim or other colored) that are clean, not tight or loose, not-faded, stained, torn, ripped, or frayed may be worn on days designated by the City Administrator with sweaters, jackets, or City of Grand Island logo attire.
- Holiday/seasonal sweatshirts/shirts or team wear sweatshirts/shirts will be allowed on certain casual days as approved by the City Administrator.

Department Directors and Supervisors are responsible for ensuring that staff meets the dress code as stipulated. Staff wearing inappropriate clothing will be required to leave work and change into appropriate attire without compensation.

Sec. 2.05 TOBACCO USAGE

Tobacco use is prohibited by all persons in any city facility or vehicle. This policy does not prohibit tobacco use in designated outdoor areas.

A. Definitions:
    1. City facility shall mean:
        a. Any indoor office, work area, or location used by the general public or serving as a place of work for City employees that is owned, leased, or rented and under the day-to-day control of the City of Grand Island.

    2. Tobacco use shall mean carrying a lighted cigar, cigarette, pipe, or any other tobacco substance, including e-cigarettes.

3. Vehicle shall mean any self-propelled conveyance designed for use upon City streets that is owned, leased, or rented by the City of Grand Island.

B. Enforcement

Department heads shall ensure that the supervisor in charge of such City facility or vehicle shall make reasonable efforts to prevent tobacco use in the City facility or vehicle by:

1. Posting appropriate signs.

2. Asking tobacco users to refrain from using tobacco in the tobacco-free area, citing Nebraska Clean Indoor Air Act and this City policy.

3. Taking any other appropriate means, including disciplinary action for City employees pursuant to appropriate union contract or Personnel Rules and Regulations.

C. Complaints:

Persons observing a violation of this policy should bring it to attention of their supervisor.

Sec. 2.06 COMMUNITY LEAVE BANK

The Community Leave bank is to provide a means for City employees to give accrued vacation leave or annual leave to another City of Grand Island employee who, because of unexpected or unplanned medical emergency, does not have sufficient paid leave to be away from the job for the period necessary to recuperate or recover.

Conditions for use:
The following conditions must be met by the donating employee wishing to give accrued vacation time or annual leave to another employee:

- The employee is in compliance with the Personnel Rules regarding vacation usage (i.e. has taken five (5) consecutive days of vacation the previous year and has sufficient accrued vacation time left to comply with the Personnel Rules during the year in question).

- The employee receives the approval of his/her Department Director.

- Only vacation or personal time may be donated.

The following conditions must be met by the employee receiving vacation time from another employee:

- The receiving employee has used all available paid leave.
- The receiving employee must be experiencing an unforeseen situation of extreme or emergency proportions. Routine illness, pregnancies, etc., ~~will~~ do not qualify.
- The receiving employee shows intent to return to duty following the leave.
- The receiving employee obtains the approval of his/her Department Director.
- The employee's absence does not exceed twelve (12) weeks total, consecutive or intermittent, including all paid, unpaid, and donated times, unless expressly approved by the Department Director.

Procedure:

An employee wishing to donate accrued vacation or annual ~~time~~ leave to another employee shall submit his/her request through the Human Resources Director. All such donations shall remain confidential at the request of the donating employee and/or the receiving employee. The Human Resources Director shall review the request and ensure compliance by both employees with the conditions set forth above.

The Human Resources Director will notify the employee involved of the decision. Use of time given or received through this policy shall be recorded on absence reports.

CHAPTER THREE
OPERATIONS

Sec. 3.01 CORRECTIVE AND DISCIPLINARY ACTIONS

A. Employees are expected to act in a mature and professional manner while performing services for the City of Grand Island. Below is a partial list of behaviors that an employee may be disciplined for. Depending on the severity of the infraction, an employee may be subject to discipline up to and including termination. The following is a list, not all-inclusive, providing examples of unacceptable conduct:

1. Failure to observe safety rules and regulations.

2. Failure to report to work at the appointed time or place, or for departing prior to the designated time, including abuse of rest periods.

3. Solicitation, or distribution or display of, unauthorized literature while on City time.

4. Operating a personal business while on City time.

5. Intimidation or coercion.

6. Abuse or waste of City equipment, tools, or material.

7. Using abusive language or making false or malicious statements concerning any employee, the City, or its services.

8. Horseplay, loafing, or sleeping on the job.

9. Unauthorized posting, removing, or altering of bulletin board notices.

10. Violation of City, Department, or Division written or verbal policies or procedures.

11. Unauthorized use or release of confidential, sensitive or privileged information.

12. Intentional unavailability for or refusal to work over-time or respond to emergency call-out.

13. Abuse of medical leave or other paid leaves.

14. Conduct unbecoming a City employee.

B. An employee may be discharged, even for a first offense, for the following violations. This list is representative of dischargeable behaviors but is not all-inclusive.

1. Insubordination.

2. Theft of public or private property.

3. Misappropriation of public property.

4. Unlawful harassment.

5. Consumption or possession of alcohol or non-prescribed drugs on City time or property.

6. Being under the influence of alcohol or non-prescribed drugs while in the workplace.

7. Gambling or fighting on City time or property.

8. Conviction of a felony.

9. Abusive, offensive, or obscene language or conduct towards the public, City officials, or employees.

10. Demeaning, disruptive, or uncooperative conduct in the workplace.

11. Intentional or negligent damage or destruction of private or public property.

12. Fraud, falsification, or deceit in the conduct of City business.

13. Incompetence or unsatisfactory performance.

14. Unauthorized possession or use of firearms or hazardous materials on City time or property.

15. Work disruption or stoppage, strike, or other forms of job action or withholding of services.

16. Acts or threats of physical violence directed towards City officials or employees.

17. Accepting and/or ~~S~~soliciting favors, gifts, services, or bribes in the conduct of City business.

18. Conduct unbecoming a City employee or tending to discredit or impair the duties and the responsibilities of the employee's position.

19. Violation of the "Employment of Relatives" Policy.

20. Failure to maintain licensure required to perform job duties.

C. Any employee arrested or convicted of any offense other than a minor traffic violation must report the incident to his/her supervisor. Failure to report such matters can result in discipline, up to and including termination.

Sec. 3.02 DISCIPLINE AND APPEAL PROCEDURE

A. General Statement

It is the policy of the City of Grand Island to provide a system of progressive discipline, which affords an opportunity for the resolution of unsatisfactory employee performance or conduct. Except in the case of a ~~written~~ Written ~~reprimand~~ Reprimand I and Written ~~r~~Reprimand II, such system shall include an appeal procedure to assure the equitable and consistent application of discipline.

Discipline may begin with the least severe, appropriate disciplinary action and progress, if necessary, to more severe actions. The severity of the incident may warrant any level of initial disciplinary action, so as to be appropriate for the offense.

B. Progressive Discipline

Progressive discipline is the successive application of increasingly severe disciplinary actions. These actions, in order of severity, are ~~written~~ Written ~~reprimand~~ Reprimand I, ~~written~~ Written ~~reprimand~~ Reprimand II, probationary status, suspension, suspension and demotion, and discharge.

C. Written Reprimand I

A ~~written~~ Written ~~reprimand~~ Reprimand I must be imposed by the employee's immediate supervisor for minor violations or incidents. The reprimand must inform the employee of the violation or incident, the required correction action, and the consequences of a reoccurrence of the violation or incident.

A copy of the ~~written~~ Written ~~reprimand~~ Reprimand I must be delivered to the employee and the Human Resources Department by the immediate supervisor. The immediate supervisor must retain a copy of the ~~written~~ Written ~~reprimand~~ Reprimand I in departmental records. A ~~written~~ Written ~~reprimand~~ Reprimand I shall be placed in the employee's personnel file.

D. Written Reprimand II

A ~~written~~ Written ~~reprimand~~ Reprimand II may be imposed by a Department Director, the City Administrator, or the Mayor for repeated minor violations or incidents, or for a violation or incident of a more serious nature. The ~~written~~ Written ~~reprimand~~ Reprimand II must inform the employee of the violation or incident, the required corrective action, and the consequences of a reoccurrence of the violation or incident. Copies of the ~~written~~ Written ~~reprimand~~ Reprimand II must be delivered to the employee and the Human Resources Department for placement in the employee's personnel file.

E. Probationary Status

An employee can be put into a probationary status if his/her conduct is deemed unacceptable by the supervisor and/or Director and approved by the Director. During the probationary period the employee's performance and compliance with company rules and standards will be closely supervised. If at any time during the probationary period the employee's performance is unsatisfactory or the employee has failed to comply with company rules, they will be subject to immediate termination.

F. Suspension and Demotion

A suspension is a period of time where the employee is removed from the workplace without pay. Suspension is normally imposed for a disciplinary or dischargeable offense or for an employee's failure to take corrective action in response to a ~~written~~ Written ~~reprimand~~ Reprimand I or II. A suspension may be imposed as initial discipline for a violation or incident of a serious nature.

A demotion is a change in status to a position subordinate to that held by an employee prior to imposition of discipline and may be imposed by the Department Director, the City Administrator, or Mayor in conjunction with a suspension for a violation or incident of a serious nature.

For non-exempt employees under the Fair Labor Standards Act (FLSA), a suspension, not to exceed five working days, may be imposed by the Department Director, the City Administrator, or the Mayor. For exempt employees under the FLSA, any suspension must be for a period of at least one workweek.

Prior to imposition of suspension and/or demotion as a disciplinary action, a written notice of suspension and/or demotion shall be prepared and signed by the Department Director, the City Administrator, or the Mayor. The notice of suspension and/or demotion must inform the employee of the following:

a. A statement of the violation(s) or incident(s)

b. A brief explanation of the evidence underlying the violation(s) or incident(s)
c. The discipline to be imposed
d. Any required corrective action by the employee
e. The consequences of a reoccurrence of the violations(s) or incident(s)
f. The employee's right to request an appeal hearing before the Mayor

A copy of the notice of suspension and/or demotion shall be delivered to the employee, either personally or by delivery to the employee's last known place of residence at least seventy-two (72) hours, excluding Saturday, Sunday, and ~~Holidays~~holidays, prior to imposition of the disciplinary action. At the discretion of the person issuing the notice of suspension and/or demotion, the employee may be suspended with pay immediately upon delivery of the notice pending implementation of the disciplinary action. A copy of the notice of suspension and/or demotion must be delivered to the Human Resources Department for placement in the employee's personnel file.

A proposed suspension (and demotion) may be appealed pursuant to the procedure set out hereafter.

G. Discharge

A discharge may be imposed by the Mayor for an employee's failure to correct his/her workplace conduct in response to a suspension. A discharge may also be imposed as initial discipline for a violation or incident of a serious nature.

Prior to imposition of discharge as a disciplinary action, a written notice of discharge shall be prepared and signed by the Department Director, the City Administrator, or the Mayor. The notice of discharge must inform the employee of the following:

a. A statement of the violation(s) or incident(s)
b. A brief explanation of the evidence underlying the violation(s) or incident(s)
c. A statement that discharge is to be imposed
d. The employee's right to request an appeal hearing before the Mayor

A copy of the notice of discharge shall be delivered to the employee, either personally or by delivery to the employee's last known place of residence at least seventy-two (72) hours, excluding Saturday, Sunday, and ~~Holidays~~holidays, prior to imposition of the disciplinary action. The employee shall be suspended with pay immediately upon delivery of the notice of discharge pending implementation

of the disciplinary action or a final determination by the Mayor on the proposed disciplinary action following an appeal hearing. A copy of the notice of discharge must be delivered to the Human Resources Department for placement in the employee's ~~personal~~ personnel file.

A proposed discharge may be appealed pursuant to the procedures set out hereafter.

H. Appeal Procedure

A regular status, non-introductory employee may appeal a suspension, a suspension and demotion, or a discharge in accordance with the following procedure:

a. Following delivery of a notice of suspension (and demotion), or notice of discharge, the employee shall have seventy-two (72) hours, excluding Saturday, Sunday, and ~~Holidays~~holidays, to request an appeal hearing before the Mayor. Such request shall be in writing and delivered to the office of the Mayor at City Hall.

b. Upon receipt of a request for an appeal hearing, the Mayor shall within five (5) working days cause to be set a time and place for the appeal hearing and written notification thereof shall be provided to the employee, the Human Resources Director, and City Attorney. The appeal hearing shall be held within fifteen (15) working days after receipt of the request for hearing. The appeal hearing shall be conducted informally and recorded electronically.

c. At the hearing, the City Attorney, Department Director, and/or City Administrator shall present oral or written statements, reports, and documents supporting the disciplinary action.

d. The accused employee, the employee's representative and attorney, or other person on the employee's behalf, may present oral or written statements, reports and documents in response to the proposed disciplinary action.

e. Each side shall be limited to a total time for making their respective presentations of one (1) hour or less. The Mayor upon good cause shown may extend the time for presentation.

f. Upon conclusion of the appeal hearing, the Mayor shall make a determination in writing to dismiss, modify, or impose the proposed disciplinary action. The proceedings before the Mayor at the appeal hearing shall constitute the sole basis on which the Mayor's determination shall be based. Modification may include any lesser disci-

plinary action than that which was proposed, including ~~written~~ Written ~~reprimand~~ Reprimand II, reduction in pay, demotion, or change in the terms of suspension and/or demotion and may provide for a period of probation, counseling, treatment, or other corrective actions on the part of the employee.

A copy of the Mayor's written determination shall be delivered to the employee, either personally or by delivery to the employee's last known place of residence. A copy of the Mayor's written determination shall be delivered to the City Administrator, City Attorney, and the Human Resources Director. The Human Resources Department shall place a copy of the Mayor's written determination in the employee's personnel file.

Should the employee be dissatisfied with the Mayor's determination, the employee may appeal to the District Court of Hall County, Nebraska, in accordance with the procedures provided by the statutes of the State of Nebraska. The filing of a petition in error by the employee or the service of summons upon the City shall not stay enforcement of a disciplinary action. The City may do so voluntarily, or the City may comply with such stay as is ordered by the District Court of Hall County.

Sec. 3.03 EMPLOYEE GRIEVANCES

The following ~~will be~~ is the grievance procedure for employees of the City of Grand Island, except those that are members of a recognized bargaining unit. Members of bargaining units shall use the grievance procedures provided in their respective labor agreements.

Each ~~person~~ employee may present a grievance to their immediate supervisor who will respond in writing within five (5) working days. Written notification of this grievance will be forwarded to the Human Resources Director, Department Director, and City Administrator.

If the person is not satisfied with the decision of their immediate supervisor, they may present the grievance to the Department Director who will notify the Human Resources Director and City Administrator. The Department Director will, with the advice and consent of the City Administrator, respond in writing within five (5) working days.

In the event that the person is not satisfied with the decision of the Department Director, they may notify the Human Resources Director in writing within five (5) working days. The Human Resources Director will investigate the grievance and forward the results to the grievant, the City Administrator, and the Mayor. The Mayor may conduct a review of the record and notify the grievant of the Mayor's decision.

The following are the prerogative of management and are not subject to the grievance process. Except where limited by provisions elsewhere in these rules, nothing in the rules shall be construed to restrict, limit, or impair the rights, powers, and the authority of the City as granted to it under the laws of the State of Nebraska and City ordinances. These rights, powers, and authority include but are not limited to the following:

- Discipline or discharge for just cause arising under the City Personnel Rules and Regulations.
- Direct the work force.
- Hire, assign, or transfer employees.
- Determine the mission of the City.
- Determine the methods, means, and/or number of personnel needed to carry out the City's mission.
- Introduce new or improved methods or facilities.
- Change existing methods or facilities.
- Relieve employees because of lack of work.
- Contract out for goods or services.
- The right to classify jobs and allocate individual employees to appropriate classifications based upon duty assignments.

Sec. 3.04 RESIGNATIONS, RETIREMENTS, AND LAYOFFS

RESIGNATIONS: To resign in good standing, an employee must give the Department Director written notice at least fourteen (14) calendar days prior to ~~termination~~separation, unless the Department Director agrees to permit a shorter period. The employee must be in an active pay status on his/her final day of employment (i.e. cannot "vacation out").

RETIREMENT: An employee may, but is not required to, retire on the first day of the month following his/her 65th birthday. Uniformed members of the Police and Fire Divisions shall be retired in accordance with the provisions of State ~~statutes~~ Statutes covering retirement of these classifications.

Retired employees, except police officers and firefighters, shall, when eligible, receive a ~~pension as provided for in City Ordinance No. 4244 as amended~~retire-

ment distribution as allowed under plan document rules. Police officers and firefighters, when eligible, shall receive a pension as provided for by State statutes.

The Mayor may, at his/her discretion, grant an early retirement option under the general employee ~~pension~~ retirement savings plan upon the request of an employee. The employee must be at least fifty-five (55) years of age and must have at least ten (10) years of participation in the employee ~~pension~~ retirement savings plan.

REDUCTION IN FORCE: Whenever it is determined to be in the best interest of the City to reduce its workforce, the Director of the affected department, the Mayor, or City Administrator will recommend the implementation of the reduction.

Factors that will be taken into consideration shall include, but are not limited to:

- The employment policies and staffing needs of the department, together with contracts, ordinances, and statutes related thereto and budgetary considerations
- Required federal, state, or local certifications or licenses;
- Seniority;
- The performance appraisal of the employees affected, including any recent or pending disciplinary actions;
- The knowledge, skills and abilities of the employee;
- The multiple job skills recently or currently being performed by the employee;

Upon the receipt of the recommendation, a determination will be made as to the classifications to be affected by a reduction in force and the number of employees to be laid off. A determination as to whether any employees within a job classification should be exempted from consideration due to the existence of a required federal, state, or local certification, or license will also be made at this time.

RECALL: Employees laid off under this reduction in force policy shall be eligible for recall for a period of two (2) years after layoff. If, within two (2) years after layoff, a new position is opened within the reduced job classification for the department, the employee shall be recalled in the reverse order of layoff. After two (2) years, the employee will have no preference for rehire.

CONSIDERATION GIVEN FOR RELEASE OF ALL CLAIMS AGAINST THE CITY: Employees with one to four (1 ~~-~~ 4) years of continuous employment with

the City whose employment is terminated by a reduction in force will be entitled to consideration equal to one (1) month's pay. Employees with five (5) or more years of service will receive one (1) month's pay plus one (1) week for each additional year of service with a maximum payout of twelve (12) weeks. Employees who retire or are terminated through disciplinary action will not receive this consideration. The Mayor may grant consideration in resignation cases when deemed appropriate. The Mayor may grant consideration greater than one (1) month's pay upon a determination that such action is in the best interest of the City.

FURLOUGH: When it is determined necessary to reduce payroll expenses, employees may be required to participate in furloughs or a reduction in hours worked. The employee's health insurance and other benefits will not be affected as long as the furlough is temporary in nature and does not result in the employee's hours dropping below thirty-five (35) hours per week average on an annual basis.

Sec. 3.05 USE OF CITY PROPERTY AND EQUIPMENT

Property and equipment that is provided by the City to carry out the duties of day to day business is to be used in the way that it is intended. Personal use of City property and equipment including computers and Internet service is prohibited.

Sec. 3.06 CITY GOVERNMENT COMPUTER NETWORK

All employees of the City of Grand Island are expected to comply with the City Government Computer Network Policy, which is available on the City's Performance Pro website.

~~A. Overview~~
~~The intentions for publishing a security awareness and acceptable use policy are not to impose restrictions that are contrary to the established culture of openness, trust and integrity. The City of Grand Island is committed to protecting all employees, partners and the City of Grand Island from illegal or damaging actions by individuals, either knowingly or unknowingly.~~

~~Internet/Intranet/Extranet-related systems, including but not limited to computer equipment, software, operating systems, storage media, network accounts providing electronic mail, www browsing, and FTP, are the property of the City of Grand Island. These systems are to be used for business purposes in serving the interests of the City of Grand Island, and of our clients and customers in the course of normal operations.~~

~~Effective security is a team effort involving the participation and support of every City of Grand Island employee and affiliate who deals with information and/or in-~~

~~formation systems. It is the responsibility of every computer user to know these guidelines, and to conduct their activities accordingly.~~

~~B. Purpose~~
~~The purpose of this policy is to outline the acceptable use of computer equipment at the City of Grand Island. These rules are in place to protect the employees and the City of Grand Island. Inappropriate use exposes the City of Grand Island to risks including virus attacks, compromise of network systems and services, and legal issues.~~

~~C. Scope~~
~~This policy applies to employees, contractors, consultants, temporary employees, and all other workers at the City of Grand Island, including all personnel affiliated with third parties. This policy applies to all equipment that is owned or leased by the City of Grand Island~~

~~**POLICY**~~

~~General Use and Ownership~~

1. ~~While network administration desires to provide a reasonable level of privacy, users should be aware that the data they create on the government systems remains the property of the City of Grand Island. Because of the need to protect the network, management cannot guarantee the confidentiality of employee's personal information stored on any network device belonging to the City of Grand Island~~

2. ~~An e-mail system and Internet access are provided to City employees for the purpose of conducting official City business. These may not be used for prohibited purposes, such as conducting private business, or political campaigning, or any illegal uses. Computer use on government systems may be audited.~~

3. ~~Computers owned by City government or purchased with public funds should not have any recreational games installed. This includes the games supplied as part of the operating system of "free" additional programs. Contact the Information Technology Department and games will be removed that are already installed.~~

4. ~~The Information Technology Department will be notified whenever a new program is installed on a computer that is connected directly to the City Government Computer Network.~~

5. ~~For security and network maintenance purposes, authorized individuals within the City of Grand Island may monitor equipment, systems and network traffic at any time.~~

6. ~~The City of Grand Island reserves the right to audit networks and systems on a periodic basis to ensure compliance with this policy.~~

~~Security and Proprietary Information~~

1. ~~The user interface for information contained on Internet/Intranet/Extranet-related systems should be classified as either confidential or not confidential. Examples of confidential information include but are not limited to: customer credit card information, employee information, customer receivable lists, vendor information and research data. Employees should take all necessary steps to prevent unauthorized access to confidential information.~~

2. ~~Employees dealing with customer credit cards will not retain, email, or write down customer credit card information in any fashion.~~

3. ~~Keep passwords secure and do not share accounts. Authorized users are responsible for the security of their passwords and accounts. System and user level passwords will be required to be changed every 90 days.~~

4. ~~All PCs, laptops and workstations will be secured with a password-protected screensaver with the automatic activation feature set at 15 minutes or less. Employees should secure their workstations by logging off or locking (control-alt-delete for Windows users) when the host will be unattended. If for some reason a screen saver timeout interferes with system operation then special approval must be obtained from the IT department.~~

5. ~~Postings by employees from a City of Grand Island email address to newsgroups, online forums, electronic bulletin boards or any other similar message posting systems should contain a disclaimer stating that the opinions expressed are strictly their own and not necessarily those of the City of Grand Island.~~

6. ~~All devices used by the employee that are connected to the City of Grand Island Internet/Intranet/Extranet, whether owned by the employee or the City of Grand Island, shall be continually executing approved virus-scanning software with a current virus database.~~

7. ~~Employees must use extreme caution when opening e-mail attachments, which may contain viruses, e-mail bombs, or Trojan horse code.~~

~~Unacceptable Use~~

1. ~~The following activities are, in general, prohibited. Employees may be exempted from these restrictions during the course of their legitimate job responsibilities (e.g., systems administration staff may have a need to disable the network access of a device if that device is disrupting production services).~~

2. ~~Under no circumstances is an employee of the City of Grand Island authorized to engage in any activity that is illegal under local, state, federal or international law while utilizing City of Grand Island-owned resources.~~

3. ~~Certain features of the internet such as streaming media, radio or music stations can clog the City's network and e-mail system and should be used only for work-related purposes. Internet usage should not interfere with an employee's or co-worker's work in either time or network bandwidth.~~

4. ~~The lists below are by no means exhaustive, but attempt to provide a framework for activities which fall into the category of unacceptable use.~~

~~System and Network Activities~~

~~The following activities are strictly prohibited, with no exceptions:~~

1. ~~Violations of the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, the installation or distribution of "pirated" or other software products that are not appropriately licensed for use by the City of Grand Island.~~

2. ~~Exporting software, technical information, encryption software or technology, in violation of international or regional export control laws, is illegal. The appropriate management should be consulted prior to export of any material that is in question.~~

3. ~~Introduction of malicious programs into the network or server (e.g., viruses, worms, Trojan horses, e-mail bombs, etc.).~~

4. ~~Revealing your account password to others or allowing use of your account by others. This includes family and other household members when work is being done at home.~~

5. ~~Using a City of Grand Island computing asset to actively engage in procuring or transmitting material that is in violation of sexual harassment or hostile workplace laws in the user's local jurisdiction.~~

6. ~~Making fraudulent offers of products, items, or services originating from any City of Grand Island account.~~

7. ~~Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the employee is not an intended recipient or logging into a server or account that the employee is not expressly authorized to access, unless these duties are within the scope of regular duties. For purposes of this section, "disruption" includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information for malicious purposes.~~

8. ~~Port scanning or security scanning is expressly prohibited unless prior notification to IT is made.~~

9. ~~Executing any form of network monitoring which will intercept data not intended for the employee's device, unless this activity is a part of the employee's normal job/duty.~~

10. ~~Circumventing user authentication or security of any device, network or account.~~

11. ~~Providing information about, or lists of, City of Grand Island employees to parties outside the City of Grand Island.~~

~~Email and Communications Activities~~

1. ~~Sending unsolicited email messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request such material (email spam). Creating or forwarding "chain letters", "jokes", "Ponzi" or other nonrelated work items of any type.~~

2. ~~Any form of harassment via email, telephone or paging, whether through language, frequency, or size of messages.~~

3. ~~Unauthorized use, or forging, of email header information.~~

4. ~~Solicitation of email for any other email address, other than that of the poster's account, with the intent to harass or to collect replies.~~

5. ~~Use of unsolicited email originating from within the City of Grand Island's networks of other Internet/Intranet/Extranet service providers on behalf of, or to advertise, any service hosted by the City of Grand Island or connected via the City of Grand Island's network.~~

~~6. Posting the same or similar non-business-related messages to large numbers of Usenet newsgroups (newsgroup spam), online forums, electronic bulletin boards or any other similar message posting system.~~

~~Enforcement~~

~~1. Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.~~

~~Definitions~~

~~Spam: Unauthorized and/or unsolicited electronic mass mailings.~~

Sec. 3.07 TELEPHONE USAGE

Personal long distance telephone calls on landlines are prohibited when charged to the City of Grand Island.

An allowance is made for telephone calls charged to their parties, such as:

1. Calling card
2. Charged to your home phone
3. Collect call

The telephone calls authorized by this allowance are still restricted by departmental ~~polices~~ policies. Personal directory assistance calls are allowed when charged to the employee's personal calling card.

Cellular phones ~~should~~ may be used in a manner that is not disruptive in the workplace.

Sec. 3.08 POLITICAL ACTIVITY

City employees may not interfere or use the influence of their office for political reasons. They shall not participate in any political activity during normal working hours or when otherwise engaged in the performance of official duties. No employee shall engage in any political activity while wearing a uniform required by the City. An employee may not represent themselves as an employee of the City while being involved in an outside political activity.

Employees in certain departments will be additionally restricted due to funding of that department through state and federal funds. Employees are urged to contact their Department Director to determine the degree of political involvement allowed. Employees may not be dismissed or disciplined because they refuse to make a contribution to a political organization.

City employees may not be a candidate or be elected to the office of Mayor or City Council while employed.

Sec. 3.09 EMPLOYEE ORGANIZATIONS

City employees have the right to choose whether they wish to belong to employee organizations. No employee may be reprimanded, threatened, or discriminated against because the employee elects to join or refrain from belonging to an employee organization.

Sec. 3.10 SAFETY AND RISK MANAGEMENT

It is the goal of the City of Grand Island to provide a safe and healthful workplace for all employees. The ~~city's~~ City's policy is aimed at minimizing exposure to health or safety risks of employees and visitors at the City's facilities.

In order to accomplish this, each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to their supervisor. Employees that violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action up to and including termination of employment.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify their supervisor. Such reports are necessary to comply with laws and initiate worker's compensation benefits.

The City has safety committees comprised of employees and management to help ensure a safe and healthful workplace. In addition to departmental safety committees, the City shall maintain a Risk Management Committee that is comprised of members that represent and act as liaisons between the different departments of the City. This committee is responsible for the coordination of all citywide safety activities, analysis of citywide accident trends, and recommending procedures that may improve safety in the departments.

Sec. 3.11 WORKER'S COMPENSATION

The City of Grand Island will comply fully with the Worker's Compensation Program that has been established under State statute.

When accidents occur at work, they must be reported immediately to the supervisor and the appropriate paperwork filled out at that time and sent in to the office. A supervisor must have prior knowledge and approve a doctor's visit. A doctor's report may be required to substantiate the injury.

The City may provide light duty work when possible for a defined period of time for employees that are injured due to a work related situation.

Leave taken in conjunction with worker's compensation injuries will be counted as part of the employee's 12 week FMLA entitlement.

Sec. 3.12 RESIDENCY

All Department Directors are required to reside within twelve (12) miles of the City limits. All Emergency Management employees are required to reside within a twenty-five (25) mile radius of the City of Grand Island. All Utilities Department employees are required to reside within the residency boundaries of the department. Residency for police and fire employees are established by contracts.

Employees that drive City vehicles home and senior management personnel need to check their department's Standard Operating Procedures in reference to residency requirements.

Employees subject to particular residency requirements will establish residency in compliance with that requirement within six (6) months after the calendar day of the start of employment in the City position subject to that residency requirement and will maintain such residency during the term of employment. For purposes of these Personnel Rules and Regulations, residency will mean the employee's domicile. ~~As amended October 9, 2012, Resolution 2012-304~~

Sec. 3.13 EMPLOYMENT OF RELATIVES

Public trust, safety, and City morale require that the City maintain a policy that ensures a sense of fairness to the general public as well as internal employees when it comes to the relationships of its employees. In order to promote the efficient operation of the City and to avoid the formation of cliques, claims of sexual harassment, or gender-based discrimination and the blurring of professional and personal responsibilities, the following policy describes the rules for workplace relationships.

Regular status employees who are members of the same family are eligible for City employment provided that they are not in the same supervisory chain of command. No relative shall work within the same shift or station of the City, nor shall any relative work within any supervisory capacity of another relative on a daily basis. They may, however, be employed in different divisions of the same department or in different departments. For purposes of defining this policy, family members shall include; spouse, children, stepchildren, parents, grandparents, siblings, and in-laws of the same relation.

In addition to family relationships, and for the same reasons mentioned above, employees involved in romantic and/or sexual relationships or dating must also observe the chain of command rules mentioned above.

Employees must notify the City if they are in violation of this policy. If the City cannot accommodate a transfer request and one of the employees affected does not voluntarily resign to correct the violation, the employee with the least amount of seniority with the City will be asked to resign or be terminated.

Sec. 3.14 OUTSIDE EMPLOYMENT

Employees may hold other employment outside of City employment with prior approval from their Director as long as it does not interfere with the duties of the City job and does not conflict with the interests of the City.

Sec. 3.15 REIMBURSABLE BUSINESS TRAVEL EXPENSES

The City will follow the provisions of Ordinance 7978, as updated; commonly known as the "Miscellaneous Expenditures Act" in determining reimbursable expenses, which is available on the City's Performance Pro website.
~~. When there is any conflict between this provision and Ordinance 7978, as amended, Ordinance 7978 shall supersede these provisions.~~

~~Per Diem rates will be used for mileage and meals. Per Diem rates can be found at www.gsa.gov.~~

~~**§27-62. Business Travel** (Chapter 27 of the Procurement Code) the following procedures shall be used for business travel:~~

~~A. Transportation Method~~
~~i. When travel is by air, advance ticketing by purchase order will be utilized whenever possible to obtain the lowest available coach fare.~~
~~ii. All refunds, travel coupons, and other promotions in connection with business travel shall be returned to the City.~~
~~iii. When ground travel is required, City vehicles shall be used whenever possible.~~

~~B. Lodging~~
~~i. Reimbursement for non-commercial lodging is not permitted.~~
~~ii. When personnel are accompanied by non-City personnel, only the costs attributed to the City personnel are reimbursable.~~

~~C. Expenses~~
~~i. The following expenses are reimbursable upon affidavit of expenditure and receipts are not required: parking fees, taxi, and bus fares, and highway tolls.~~
~~ii. The following expenses are reimbursable upon submission of paid receipts:~~
~~a. Registration, tuition, and fees for official functions related to the travel;~~
~~b. supplies or equipment required for travel or training;~~

~~c. rental cars and;~~
~~d. traveler's checks fees.~~

~~D. The following expenses are not reimbursable~~
~~a. entertainment, including television rentals, VCR, or DVD;~~
~~b. personal expenses, e.g. hygiene items, magazines;~~
~~c. travel insurance and;~~
~~d. alcoholic beverages.~~

~~E. Travel Advances~~
~~Travel advances are not authorized, except under special circumstances with written prior approval of the Finance Director. The use of credit cards and advance purchase order payment of lodging and transportation expenses are encouraged.~~

~~F. Expense Claims~~
~~Personnel on authorized travel must submit expense claims to the Finance Department immediately upon return, but not later than four (4) work days after return to duty when at all possible. All receipts, unexpended City funds and funds due the City, shall be returned at that time. All expenses (including prepaid expenses) shall be summarized and accounted for.~~

~~Any employee desiring to attend a meeting, conference, seminar, or other official out-of-state event for duration of more than one day shall obtain the approval of their supervisor, Department Director, and City Administrator/Mayor.~~

Sec. 3.16 ALLOWABLE INTERVIEW AND RELOCATION EXPENSES

After advance approval has been received by the Mayor, interview and relocation expenses shall be paid by the City of Grand Island for the recruitment of personnel.

Interview expenses, including meals, overnight accommodations, and transportation shall be provided.

Reasonable relocation expenses may be provided to new personnel for moving. Relocation expenses shall be based on actual expenses documented by itemized expense claims. Expenses related to the spouse for relocation may be permitted. Under certain circumstances, approved by the Mayor, the City of Grand Island may pay for moving expenses up to the actual amount paid.

The new employee, by this policy, is provided some discretion in the use of the relocation allocation.

Sec. 3.17 FAMILY and MEDICAL LEAVE ACT

This policy establishes the rights and obligations of the City of Grand Island and its employees with respect to leave necessary for medical care of employees and their families pursuant to the Family and Medical Leave Act more commonly referred to as FMLA.

An employee must be employed by the City for at least twelve (12) months ([the twelve (12) months need not be consecutive)] to be eligible to receive leave under this policy. Additionally, the employee must have worked at least 1,250 hours in the year preceding the date the employee seeks to start the leave.

Eligible employees are entitled to take up to twelve (12) weeks of unpaid leave during a twelve (12)-month period for the following purposes:

- Childbirth, adoption or placement of a foster child within the first twelve (12) months after birth or placement
- To care for a child, spouse, or parent with a serious health condition
- One's own serious health condition that make the employee unable to perform the functions of his/her position
- If the employee experiences a qualifying exigency that arises out of the fact that a spouse, parent, or child has been called to or is on active duty as a member of the National Guard or military reserves.

A serious health condition means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility; or continuing treatment by a health care provider. The City will observe a rolling twelve (12)-month period for purposes of tracking leave.

NOTICE OF LEAVE: When requesting leave, the employee must:

- Supply sufficient information for the City to be aware that the FMLA may apply to the leave request, as well as information regarding the anticipated timing and duration of leave;
- Provide the notice of the need for leave at least thirty (30) days in advance or as soon as practicable;
- Cooperate with all requests for information regarding whether absences are FMLA-qualifying. Failure to comply may result in leave being delayed or denied.

MEDICAL AND OTHER CERTIFICATIONS: Employees requesting family leave related to the serious health condition of themselves or a child, spouse, parent, or military caregiver leave will be required to submit a health care provider's statement verifying the need for such leave, the beginning and ending dates, and the estimated time required. Failure to provide required certifications may result in the denial of the leave or request for leave on an intermittent basis.

The City, at its expense, may require a medical examination by a health care provider of its own choosing if it has a reasonable question regarding the medical

certification provided by the employee. In lieu of a second opinion, the City may contact the health care provider directly to clarify or authenticate a medical certification, including certifications for military caregiver leave. Second opinions may not be required for military caregiver leave.

Separate certification may also be required regarding the nature of the family member's military service and/or the existence of a qualifying exigency.

When both spouses are employed by the City, they are jointly entitled to a combined total of twelve (12) weeks of leave if the leave is for the birth, adoption, or placement of a foster child or to care for a parent with a serious health condition. Each spouse is entitled to twelve (12) weeks of leave if the leave is due to his/her own serious health condition or to care for a son, daughter, or spouse with a serious health condition.

MILITARY CAREGIVER LEAVE: An employee who is the spouse, parent, child, or next of kin of a current member of the armed forces who was injured while on active duty may be eligible for up to twenty-six (26) weeks of FMLA leave in a twelve (12)-month period.

When both spouses are employed by the City, they are jointly entitled to a combined total of twenty-six (26) weeks of leave in a twelve (12)-month period, including the types of aforementioned leave listed.

CONCURRENT LEAVE: An eligible employee that is taking FMLA leave is required to use all accrued medical leave before going on unpaid status. The employee may choose, but is not required, to use accrued vacation and ~~personal~~ annual leave prior to taking leave on unpaid status. Leave taken in conjunction with worker's compensation injuries will be counted as part of the employee's twelve (12) week FMLA entitlement.

INTERMITTENT LEAVE: When medically necessary, employees may take FMLA intermittently or on a reduced schedule basis for their own serious health condition, the serious health condition of a family member, or for military caregiver leave. Employees are required to cooperate with the City to arrange reduced work schedules or intermittent leave so as to minimize disruption of business operations.

Qualifying exigency leave may be taken intermittently without regard to medical necessity or disruption of business operations.

Leave because of the birth or adoption of a child may not be taken intermittently and must be completed within the twelve (12)-month period beginning on the date of birth or placement of the child.

BENEFITS WHILE ON LEAVE: During any period of leave under this policy, an employee's group health insurance coverage will be maintained at the same level and under the same conditions as before the leave began. Employees who normally made a contribution toward their health insurance coverage must continue to do so. If the employee has leave banks accrued and is using them, the employee's contribution will be collected in the same manner as if the employee were reporting to work. However, if the employee's leave banks have been exhausted, the employee must arrange with the Finance Department prior to the start of their leave, for the payment of the employee's share of the premiums and other voluntary deductions to be made during their absence. Once an employee has exhausted all leave banks, they will not accrue any other benefits. This includes vacation time, medical leave time, holidays and ~~personal days~~annual leave.

RETURN TO DUTY: An employee who has taken leave for his/her own serious health condition will be required to present certification of fitness for duty from a health care provider prior to returning to work. Failure to provide certification may cause denial of reinstatement.

Upon return to duty, an employee is entitled to restoration of the former position or an equivalent position with equivalent pay and benefits.

Sec. 3.18 CITY HALL CLOSURE

When the decision to close City Hall has been determined during regular business hours (8:00 a.m. – 5:00 p.m.) a citywide notice will be sent notifying employees of the closure as well as an announcement made over the City Hall intercom.

During regular business hours as well as after hours (5:00 p.m. – 8:00 a.m.) employees have the opportunity to call 385-5444 Ext. 511 and a message of the closure will be recorded by the City Administrator. This message only applies for the date stated within the message.

- The written and verbal announcement for closure during regular business hours will be as follows (and sent to Department Directors prior to the closure release to give the Director an opportunity to notify emergency and essential personnel within their department):

  Due to the (condition of closure) City Hall will be closing today at (time) and will reopen tomorrow for regular business hours. Personnel that are not essential during (condition of closure), as determined by your Department Director, will make arrangements to leave City Hall at the determined closing time. Employees are encouraged to consider their own safety when deciding whether to travel to and from work. A message will be left at 385-5444 Ext 511 if the closure of City Hall is determined for tomorrow.

- The verbal announcement of City Hall closure after hours for the prior business day will be recorded as follows:

  Due to the (conditions of closure) today (state date) City Hall will be closed and will reopen tomorrow (state date) for regular business hours. All personnel determined essential by the Department Directors will report to work.

The Department Director will determine who is essential and who is not and will confirm this decision within the employee's job description or verbally during the event.

The employees' pay will be handled in the following manner:

- If City Hall is closed on the employee's regularly scheduled work day, the employee is paid regular pay for ~~the~~ his/her scheduled hours for that day.

- If City Hall is open for any part of the day and the employee chooses not to come in, the employee will use vacation or personal time.

- If the employee had already scheduled the day off, they will use the leave hours they already requested. (i.e. vacation, funeral, etc.).

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Sec. 3.19 POSITION CLASSIFICATION

The Human Resources Department will be responsible for the maintenance of a classification plan based on an analysis of duties of each position in the City. Written specifications, also known as job descriptions, will be approved by the City Administrator. Each description will define the class, summarize the duties to be performed, and establish the minimum standards of experience and qualifications required for appointment. Duties described in the job description may not be all-inclusive and do not restrict the assignment of other duties.

Each Department Director is responsible for the assignment of duties, location of work, tools and equipment furnished, work schedule, and working conditions. Directors may request a classification review of any position in his/her department at any time.

With the approval of the Department Director an employee may request a classification review of his/her own position at any time, provided the position has not been reviewed within the last six (6) months. Such requests will be submitted to the Human Resources Director in writing through the Department Director.

Sec. 3.20 EMPLOYMENT CATEGORIES

Each employee is employed in a classification that is considered either “exempt” or “non-exempt”. Non-exempt employees are entitled to overtime pay under the Fair Labor Standards Act for hours worked over forty (40) in the same workweek. Exempt employees are not entitled to such overtime pay. In addition to these distinctions, each employee will also fall into one of the following employment categories:

TEMPORARY~~/SEASONAL~~ employees are those who are hired ~~as interim~~as interim replacements~~ or seasonal help~~ to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. While temporary employees receive all legally mandated benefits, such as worker’s compensation and social security, they are not eligible for any other benefit programs offered by the City of Grand Island.

SEASONAL employees are those who are hired to temporarily supplement the work force for a specific season, e.g. aquatics, summer parks programs, mowing, etc. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. While seasonal employees receive all legally mandated benefits, such as worker’s compensation and social security, they are not eligible for any other benefit programs offered by the City of Grand Island.

REGULAR PART-TIME employees are those that work less than forty (40) hours per week and are not seasonal,~~/~~ temporary or in their introductory period. Employees that work thirty (30) hours per week or more are eligible for single coverage health insurance benefits. Employees that work less than thirty (30) hours per week will not be eligible to take part in the City’s health plan. Benefits for regular part-time employees, who work at least thirty (30) hours per week, are prorated based on their average hours of work during the year.

REGULAR FULL-TIME employees are those who are not in a temporary, introductory, or part-time status and who are regularly scheduled to work a full-time schedule with the City. These employees are eligible for the City’s benefits program.

Sec. 3.21 INTRODUCTORY PERIOD

All employees, other than temporary~~/~~ or seasonal, shall normally serve an introductory period as determined by the department that shall not be less than six (6) months. The introductory period is an essential part of the employment selection process. It gives the City and the employee the opportunity to make sure the job is a good fit. An employee’s performance that does not meet required standards

may be terminated without recourse within the introductory period. When it is determined that the services of the employee have not been acceptable, the Department Director shall notify the employee in writing of the date that the termination will be in effect. A performance report, together with a copy of the termination shall be forwarded to the Human Resources Department and City Administrator for approval.

A newly hired employee will accrue vacation during the introductory period, but it will not be considered "earned" until the introductory period is successfully completed. An employee that leaves the City's employ during the introductory period will not be compensated for the accrued vacation.

A performance evaluation and change of status form that requests the employee be removed from the introductory status will signify successful completion of the introductory period. The Department Director may extend the introductory period upon written notification to the employee and the Human Resources Director.

While serving the introductory period, an employee may be appointed or promoted to a position in a different class. When this occurs, the employee will begin a new introductory period for the position to which he/she has been appointed or promoted ~~to~~. The same is true for employees that request reassignment into a different position.

An employee may also serve additional introductory periods in the case of a promotion. When promoted, an employee will serve an introductory period that resembles that required for the original appointment.

Sec. 3.22 REGULAR STATUS

Once an employee successfully completes his/her introductory period, the employee is then appointed to regular status.

Upon appointment to regular status, an employee will receive the following vacation time:

1. Upon completion of the six (6) month introductory period – five (5) days

2. Upon completion of a one (1) year period – an additional five (5) days

Regular status employees will then begin accruing vacation leave and be eligible to use accrued vacation at the rate established by these rules.

Sec. 3.23 HOURS OF WORK

The forty (40)- hour workweek shall be the standard workweek unless otherwise provided. All employees may be required to work over forty (40) hours per week.

Employees in non-exempt classifications shall be compensated at a rate of time and one half of their regular rate of pay for all hours worked over forty (40) in the work week. Exempt employees are not eligible for overtime for hours worked in excess of forty (40) during the workweek. For purposes of calculating overtime, hours worked shall include actual hours worked. Any payment for time not actually worked (leave time) shall not count towards the calculation of overtime. Overtime shall not be paid more than once for the same hours worked.

Department Directors may establish work periods and hours of work, which differ from the standard to meet special department needs or workloads with the approval of the City Administrator.

COMPENSATORY TIME: Compensatory time may be taken in lieu of time and half pay for overtime worked if approved by the Department Director. Each hour of overtime worked will be credited at one and one-half (1-1/2) hours of time that can be taken off at a later date. The use of Compensatory time must be permitted by the Department policies and meet the Department's needs. These hours ~~need to~~ must be recorded in the payroll system at the time of accrual and use.

When allowed by the Department Director, an employee may accrue no more than sixty (60) hours of compensatory time in a calendar year. Any exceptions to this provision must have the written authorization of the Human Resources Director.

LUNCH PERIODS: Lunch periods may be established in one (1)-hour or one half-(1/2) hour increments. In the event that the employee is required to work through the lunch period or have lunch at their desk, the time will be added to the hours worked for the day.

REST PERIODS: Rest periods, more commonly referred to as "breaks" may be taken in fifteen (15) minute increments during each ~~one~~ half workday when possible. No more than one (1) break per half workday is permitted. Employees are encouraged to take breaks when the work load allows, but may not save up break time to use in larger increments than fifteen (15) minutes or to leave work early. Break time is to be used in the spirit in which is intended, ~~for~~ and abuse of rest periods may be cause for disciplinary action.

~~PAY SCHEDULES~~SALARY TABLES: The City Human Resources Department in conjunction with the Finance Department will maintain ~~pay schedules~~ salary tables for approved classifications as prescribed by City Ordinance. The City may revise the ~~pay schedule~~salary tables when changes in classes, availability of labor supply, prevailing rates of pay/comparability, or economic conditions so dictate. The new ~~pay schedules~~salary tables will become effective upon the effective date of the ordinance that has been approved by the Mayor and City Council.

All new employees will normally be hired at Step 1 of the pay grade of their position. However, due to extenuating circumstances, an employee may be hired at a higher step with the written approval of the City Administrator. Employees will remain in each step for at least one (1) year with their performance to be evaluated on the anniversary of the change of status.

Prior to advancing in a step or grade, employees will be evaluated on their performance at least annually. An employee must receive satisfactory performance ratings in order to receive an increase in pay, other than a salary table adjustment. Such adjustments in pay shall be effective on the first day of a pay period falling on or immediately after the employee is eligible for the pay increase.

An employee receiving the highest possible rating in all categories may be considered for more than a one-step increase when recommended by the Department Director and approved by the Human Resources Director and City Administrator.

PROMOTIONS: An employee who is promoted will be placed in the lowest step of his/her new pay grade that will permit an increase of at least three (3) percent~~%~~ of their step on the previous pay grade. After successfully completing the six-(6) month introductory period in his/her new position, he/she may be reviewed by their Department Director for a step increase at this time.

DEMOTIONS: The pay of any employee who is demoted will be on the same step of the pay grade for the job classification to which the employee is being demoted. The City Administrator may at his/her discretion place the demoted employee on a step of the new pay grade that will ensure that the pay of the demoted employee has been reduced.

PAY PERIODS: All employees will be paid biweekly. The pay period may be larger or smaller than two (2) weeks. The Finance Director may, at his/her own discretion, because of unforeseen incidents, change the day on which paychecks will be issued. If a holiday falls in the payroll processing week, the direct deposits may be delayed by one day. Direct deposit is required for all City employees.

SAFE HARBOR: The City uses a payroll cycle that runs bi-weekly ~~(~~[every two (2) weeks~~).~~]. Any employee that identifies a mistake in his/her paycheck should contact his/her supervisor and/or the Payroll Specialist so that it may be corrected. The City makes every effort to correctly process its payroll and prohibits improper deductions. Any such errors will be corrected as they are identified.

CALL BACK PAY: An employee that is called into work from his/her home will be eligible to receive compensation at the rate of time-and-one-half (1 ½) for the actual hours they are engaging in work.

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CHAPTER FOUR
LEAVE POLICIES

Employees qualify for the following leave banks only if they are regular status employees that work an average of thirty (30) hours per week. Employees that work on an average of less than forty (40) but more than thirty (30) shall receive the following leave on a prorated basis.

Sec. 4.01 LEAVE

The following types of leave are established and shall apply to all employees covered by these rules and regulations:

1. Paid Holidays
2. Vacation Leave
3. Medical Leave
4. Accident Leave
5. Military Leave
6. Court Leave
7. Administrative Leave
8. Leave of Absence
9. Bereavement Leave
10. Family Medical Leave
11. ~~Personal~~ Annual Leave
12. Compensatory Time
13. Convenience Day

All departments shall maintain a record of each employee accounting for time worked. ~~All types of leave used must be documented on an Absence Report form as provided by the Human Resources Department.~~Requests for leave must be entered into MUNIS indicating the kind of leave, duration, and dates of departure and return. Requests must be approved prior to taking the leave. In the case of an unforeseeable medical or other emergency situation, the request shall be completed and submitted for approval immediately upon the employee's return to duty. Unless a request approved by the supervisor substantiates an absence, an employee shall not be paid for any absence from scheduled work hours. ~~Each department is responsible for keeping track of vacation and medical leave for the employees within the department. The records should reflect hours earned, used, and unused.~~

Once an employee has exhausted all leave banks, they will not accrue any other benefits. This includes vacation time, medical leave time, holidays and ~~personal~~ annual days.

Sec. 4.02 PAID HOLIDAYS

The City recognizes the following holidays as paid holidays and the dates that they will be observed on:

New Year's Day	January 1
Martin Luther King, Jr. Day	Third Monday in January
Memorial Day	Last Monday in May

Independence Day	July 4
Labor Day	First Monday in September
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving Day	Fourth Friday in November
Christmas Day	December 25

When a holiday falls on a Saturday, it will be observed on the preceding Friday. When a holiday falls on a Sunday, it will be observed on the following Monday. The Mayor may designate such special holidays as circumstances merit.

Non-exempt regular full-time and part-time employees who are required to work on a holiday will be granted overtime pay for the time period worked. Regular part-time employees, who work an average of at least thirty (30) hours per week, will be eligible for paid holidays on a prorated basis.

Temporary~~/S~~ and seasonal employees are not eligible for paid holidays, and if required to work on a holiday will be paid for the time worked at their normal rate of pay.

If a holiday occurs while an employee is on Worker's Compensation or other disability compensation, no credit for the holiday will be allowed. In order to receive pay for an observed holiday, an employee must not have been absent without pay on the workday immediately preceding ~~or~~ and immediately following the holiday unless excused by his/her supervisor.

Employees in classifications that do not provide for overtime pay (exempt) shall receive annually ~~a paid holiday to be known as~~ a Convenience Day to be used as one (1) full day of leave. The employee's supervisor must approve the date selected.

~~As amended October 15, 2014, Resolution 2014-318~~

Sec. 4.03 VACATION LEAVE

Vacation leave must be used in not less than one-half (1/2) hour increments.

All regular status full-time employees are eligible to take vacation leave as it is earned and will accrue vacation leave in bi-weekly increments in the following manner:

~~Years 1 through 4 10 working days~~

1. Upon successfully completing the six (6) month introductory period, an employee will have available forty (40) hours of vacation time. The employee will accrue an additional forty (40) hours in the second six (6) months of continuous service following the introductory period.
2. Years 2 through 4 Eighty (80) hours

3. Years 5 through 6	~~15 working days~~One hundred twenty hours (120)
4. Years 7 through 8	~~16 working days~~One hundred twenty-eight hours (128)
5. Years 9 through 10	~~17 working days~~One hundred thirty-six hours (136)
6. Years 11 through 12	~~18 working days~~One hundred forty-four hours (144)
7. Year 13	~~19 working days~~One hundred fifty-two hours (152)
8. Years 14 through 19	~~20 working days~~One hundred sixty hours (160)
9. Years 20 through 24	~~21 working days~~One hundred eighty hours (180)
10. Year 25 and beyond	~~22 working days~~Two hundred hours (200)

Regular part-time status employees who work at least thirty (30) hours per week, will accrue vacation at a prorated amount based on the average hours worked. Employees who are promoted to full time from another status will accrue vacation based upon the full time status date.

~~As amended October 15, 2014, Resolution 2014-318~~

Temporary~~/~~ and seasonal employees are not eligible for paid vacations.

Directors will make every effort to grant requested vacation time; however, it must be approved in advance and will be granted on the basis of work requirements of the department. Seniority will be considered when scheduling vacations within the department.

Each employee will take a period of vacation that allows him or her to be away from the workplace for a minimum of five (5) consecutive work days which may include the use of ~~personal~~ annual leave. Holidays, which occur during an employee's vacation, do not count as vacation time.

CARRY-OVER

Employees will be allowed to carry-over the maximum amount of vacation that they earn in one year, plus eighty (80) hours. Current vacation time and carry-over time may be used during a single calendar year when authorized.

An employee who fails to use his/her vacation time through the employee's own decision loses all but the maximum carry-over amounts as mentioned above. The Human Resources Director and City Administrator may waive the provisions of this section in extreme circumstances for the good of the City.

TRANSFERS

When an employee transfers from one department to another in the City Personnel System, his/her vacation accrual will be transferred to the new department. Transfers made for the convenience of the employee will result in loss of preference in the scheduling of vacation time.

PAYMENT FOR VACATION TIME NOT TAKEN
Upon ~~termination~~separation, regular status employees will be paid in cash for all unused accrued vacation. In the event of the death of a regular status employee, payment will be made to the employee's beneficiary or estate for all unused accrued vacation time.

ADVANCE VACATION
The City Administrator may advance vacation leave to a regular status employee in an amount not to exceed that which the employee would earn during the calendar year. Employees who have been advanced vacation leave will reimburse the City for all used unearned vacation leave upon ~~termination~~separation.

Sec. 4.04 MEDICAL LEAVE

Medical leave will be charged in one-half (1/2) hour increments.

Medical leave is defined as a period in which an employee is incapacitated for performance of his/her duties by sickness or injury. It may be a period when an employee is away from work because of medical, surgical, dental, or optical appointments, or treatment. An employee would qualify for medical leave in the event that his/her exposure to a contagious disease would jeopardize the health of others by being present at the workplace.

Another situation where an employee would qualify for medical leave is to care for an immediate family member that is ill or injured. For purposes of medical leave, "immediate family member" shall mean a child, spouse, parent, and parents-in-law. "Child" shall include a biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing "in loco parentis".

Medical leave may also be used to cover disabilities related to pregnancy.

ACCRUAL OF MEDICAL LEAVE
Medical leave will be accrued at a rate of eight (8) hours per month for full-time regular status employees. Part-time regular status employees, who work at least (thirty) 30 hours per week, will accrue medical leave based on their average hours of work. The maximum amount of medical leave ~~hours~~ that may be accrued is one-thousand one-hundred and six (~~1,084~~1,106) hours.

RESTRICTIONS ON MEDICAL LEAVE USE
Department Directors may grant medical leave with pay in accordance with the following provisions:

- Medical leave may not be granted in advance of accrual.

- Medical leave may not be used as vacation leave.

- Introductory period employees will be entitled to medical leave at the same rate as regular status employees.

- Leave without pay may be granted for sickness and disability extending beyond earned balances in accordance with FMLA leave, if applicable.

- After six (6) continuous months of service, vacation leave balances may be used for medical leave when medical leave balances have been exhausted.

- The amount of medical leave granted for necessary care of a sick member of an employee's immediate family may not exceed ~~five consecutive workdays~~ eighty (80) hours per year unless the Department Director grants more time because of unusual circumstances. In instances where extended care is needed (beyond eighty [80] hours per year), the qualifying family member must meet the definition of a serious health condition as defined by the Family Medical Leave Act.

- The amount of medical leave charged against an employee's accrual will be computed on the basis of the exact number of days or hours an employee is scheduled to work, not to exceed eight (8) hours when leave is utilized.

- Holidays or other regular days off will not be counted in charging medical leave.

- Extended or planned medical leave needs to be requested in advance whenever possible, e.g., surgery, maternity leave, etc.

- Employees are encouraged to use ~~personal~~ annual leave for non-emergency dental, optical, medical appointments, and examinations. Medical leave may be denied for the same by the Department Director if ~~personal~~ annual leave balances are available for the employee's use.

- When an employee transfers within the City Personnel System, the employee's medical leave accrual will be transferred to the new assignment with the employee.

- Employees who are laid off and reinstated will have restored that portion of their unused medical leave accrual.

- The applicability of the Family and Medical Leave Act Policy must be determined at the time medical leave is requested.

- When an employee is unable to perform his/her duties due to an injury or sickness arising from the course of employment, any available leave may be used for the period of time that no compensation is allowed pursuant to Section 48-119 of the Nebraska Revised Statutes, commonly known as Nebraska Worker's Compensation Law. If no leave is available, accident leave may be used for the period of time that no compensation is allowed under said law.

- All medical leave accrual will expire on the date of separation and no employee will be reimbursed for outstanding medical leave at the time of ~~termination~~ separation except as provided in these rules and regulations.

COMPENSATION FOR UNUSED MEDICAL LEAVE

~~The City will include in the last paycheck in September 2010, payment for an employee's unused medical leave in excess of 960 hours accrued from January 2010 through September 2010. Employees will be compensated at the rate of fifty percent (50%) of their hourly rate of pay for each hour in excess of 960, based on the employee's current rate of pay at the time of compensation. Such compensation for unused medical leave in excess of 960 hours shall not continue after September 2010. (As amended Res. 2010-237)~~

All non-union employees will have a contribution made into a VEBA (Voluntary Employee Benefits Association) Trust in the employee's name for fifty percent (50%) of their accumulated medical leave at the time of their retirement, not to exceed five hundred ~~forty-two~~fifty-three hours (calculated at 50% x ~~1,084~~1,106 = ~~542~~553). The amount of contribution will be based upon the employee's salary at the time of retirement. ~~(As amended Res. 2010-237)~~

Department Directors will have a contribution made into a VEBA Trust in the employee's name for one-half (1/2) of their accumulated medical leave, not to exceed thirty (30) days of pay, upon his/her resignation. The contribution will be based on the employee's salary at the time of ~~termination~~separation. Compensation at retirement for unused medical leave will be the same as provided for all other employees above.

In the event of the death of an employee, payment will be made to the employee's beneficiary or estate.

REPORTING OF ABSENCE ON MEDICAL LEAVE

In the event that an employee is absent from work, for reasons that entitle the employee to use medical leave, the employee is responsible for notifying his/her supervisor at least thirty (30) minutes prior to duty time. If the employee fails to notify his/her supervisor or the person designated to receive such calls, no medical leave will be approved, except in unusual circumstances to be determined by the Department Director.

Immediately upon return to work, the employee must complete a leave request.~~needs to submit an Absence Report form as provided in these rules.~~

INVESTIGATION OF USE OF MEDICAL LEAVE
Department Directors may investigate the alleged illness of an employee absent on medical leave. False or fraudulent use of medical leave may be cause for disciplinary action and may result in termination.

MEDICAL STATEMENT
An employee who is absent on medical leave for more than three (3) consecutive days because of an illness of his/her own, or that of an immediate family member, will be required to furnish a statement signed by the attending physician or other proof of illness satisfactory to the Department Director before returning to work.

Sec. 4.05 BEREAVEMENT LEAVE

Bereavement leave shall be granted to eligible employees for up to two (2) days per calendar year for non-immediate family members. Non-immediate family member shall mean aunts, uncles, nieces and nephews. Any portion of a work day used for bereavement leave shall be considered a full day of bereavement leave. An employee shall be eligible to use up to three (3) days of paid bereavement leave for the death of an immediate family member which includes parents, spouses, children, siblings, grandparents, grandchildren, and in-laws of the same relation, regardless of when it occurs. In addition to the use of bereavement leave as set forth hereafter, medical leave may be granted at the discretion of the Department Director and City Administrator for the death of a member of an employee's immediate family because of unusual circumstances. To attend the funeral of someone other than immediate and non-immediate family, an employee shall take vacation or ~~personal~~ annual leave.

Sec. 4.06 COURT LEAVE

An employee who is required to serve as a witness or juror in a federal, state, county, police, municipal court, or as a litigant in a case resulting directly from the employee's work with the City, will be granted court leave with full pay to serve in that capacity.

An employee who is called to testify in other litigation that does not involve the employee's employment with the City, will not be granted court leave but may use vacation leave, compensatory time, or leave without pay.

An employee who is called as a witness or for jury duty will provide his/her supervisor with the original summons or subpoena from the court and at the conclusion of duty, a signed statement from the clerk of the court, or other evidence showing actual time in attendance in court.

Fees received for jury service in a federal, state, or county court will be deposited with the Finance Director upon the employee's receipt. This does not apply to funds received by employees who would not have been on duty with the City.

Sec. 4.07 ADMINISTRATIVE LEAVE

Department Directors may grant administrative leave with pay for the following purposes:

- To participate in examinations, funerals, and activities directly related to his/her work.
- To investigate a disciplinary issue.
- To compete for positions in the City Personnel System.
- To present grievances or appeals to a government official.

Department Directors may not grant administrative leave in excess of fifteen (15) days. The Mayor must approve requests for leave in excess of fifteen (15) days.

Sec. 4.08 MILITARY LEAVE

The City will follow provisions relating to military leave as provided by Nebraska Statutes. Additional Active Duty Leave will be granted for members of the military when they have been called to active duty and the period as defined under State statute has expired. The eligible employee will receive pay for two (2) additional pay periods, minus any hours that he/she is available to work during that period. The employee's health insurance benefits may remain in place at the same premium level for three (3) additional calendar months at their request.

An employee will only be eligible to receive the additional Active Duty Leave one (1) time during the course of a military action.

Sec. 4.09 ACCIDENT LEAVE

Accident leave is provided by the City to allow a period of recovery from on-the-job accidents. Full pay and benefits will be provided for 150 consecutive calendar days, subject to the waiting provisions in Section 48-119 of the Nebraska Workers Compensation Law. Pursuant to that provision, no compensation will be allowed for the first seven (7) calendar days after a disability begins unless that disability continues for six (6) weeks or longer. When the disability lasts less than six (6) weeks, employees may use any additional leave for the initial seven (7) days and will be granted accident leave if no other leave is available.

Employees governed by the Civil Service Act of the State of Nebraska will be provided accident leave according to state statute.

Workers Compensation Benefits that replace lost salary are to be retained by the employee and the City will supplement these benefits up to the full gross salary during the period of time that the employee continues to receive salary benefits under these rules.

Should the employee receiving accident leave pay, collect from any other party for wages, he/she must reimburse the City for wages paid as accident leave to the extent wages are collected from any other party.

Sec. 4.10 LEAVE OF ABSENCE

Department Directors may grant an employee a leave of absence without pay for a period not to exceed thirty (30) days if no leave banks are available. The Mayor must approve a request for a leave of absence without pay in excess of thirty (30) days.

Sec. 4.11 ~~PERSONAL~~ ANNUAL LEAVE

~~Personal~~ Annual leave must be used in not less than one (1)-hour increments. The City provides two (2) non-cumulative ~~personal~~ annual leave days to all full-time regular status employees that will be granted at the beginning of the calendar year and must be used by December 15th. ~~Personal~~ Annual leave days are provided to employees to use in lieu of medical days for routine medical visits and to allow employees to take care of other personal business.

~~As amended October 15, 2014, Resolution 2014-318~~

Sec. 4.12 CONVENIENCE DAY

One convenience day will be granted each calendar year to all exempt employees. This leave must be used in a full-day increment by December 15th and the date of leave approved by the employee's supervisor.

Sec. 4.13 FAMILY MILITARY LEAVE

LEAVE ENTITLEMENT

The City of Grand Island will grant a leave of absence to all eligible employees who are the spouse or parent of a person called to military service lasting 179 days or longer with the State or the United States pursuant to the orders of the Governor or the President of the United States. The City of Grand Island shall provide up to thirty (30) days of unpaid family military leave to an eligible employee during the time federal or state deployment orders are in effect.

EMPLOYEE ELIGIBILITY

An employee must have been employed by The City of Grand Island for at least twelve (12) months and have been employed for at least 1,250 hours of service during the twelve (12)-month period immediately preceding the commencement of the leave to be eligible for family military leave.

NOTICE TO COMPANY/CERTIFICATION OF ELIGIBILITY

An employee must give at least fourteen (14) days notice of the intended date upon which the family military leave will commence if leave will consist of five or more consecutive work days. Where able, the employee shall consult with his/her supervisor to schedule the leave so as not to unduly disrupt the operations of ~~The~~ the City of Grand Island. Employees taking family military leave for less than five (5) consecutive days shall give his/her supervisor advanced notice as is practicable. The City of Grand Island may require certification from the proper military authority to verify the employee's eligibility for the family military leave requested.

REINSTATEMENT RIGHTS

Any employee who exercises the right to family military leave, upon expiration of the leave, shall be entitled to be restored by ~~The~~ the City of Grand Island to the position held by the employee when the leave commenced or to a position with equivalent seniority status, employee benefits, pay, and other terms and conditions of employment. During any family military leave, an employee is required to use all accrued ~~personal~~ annual and/or vacation leave before going on unpaid status.

BENEFITS WHILE ON LEAVE

During any period of leave under this policy, an employee's group health insurance coverage will be maintained at the same level and under the same conditions as before the leave began. Employees who normally made a contribution toward their health insurance coverage must continue to do so. If the employee has leave banks accrued and is using them, the employee's contribution will be collected in the same manner as if the employee were reporting to work. However, if the employee's leave banks have been exhausted, the employee must arrange with the Finance Department prior to the start of their leave, for the payment of the employee's share of the premiums and other voluntary deductions. Once an employee has exhausted all leave banks, they will not accrue any other benefits. This includes vacation time, medical leave time, holidays and ~~personal~~ annual days. Taking family military leave shall not result in the loss of any employee benefit accrued before the date on which the leave commenced.

CHAPTER 5
BENEFITS

To be eligible for benefits with the City, employees must be classified as a regular status employee and regularly work thirty (30) hours per week.

Sec. 5.01 HEALTH~~/DENTAL~~ INSURANCE

Health~~/dental~~ insurance benefits are ~~provided~~ offered to regular status full-time employees. This insurance covers the employee and the employee's spouse and children, when eligible. Regular status part-time employees that maintain an average of at least thirty (30) hours of work per week are eligible for single coverage benefits only. The City maintains the right to require employees to pay a portion of the insurance premium cost.

Employees are eligible to participate in the program on the first of the month following ~~completion of 60 days~~ two (2) full calendar months of full time employment. A copy of the current health benefit plan will be given to all eligible new employees in the orientation process and is available to all personnel who request it through the Human Resources Department.

The City of Grand Island will comply with all Consolidated Omnibus Budget Reconciliation Act (COBRA) laws that apply to each employee as he/she leaves employment.

Sec. 5.02 DENTAL INSURANCE

Dental insurance benefits are offered to regular status full-time employees. This insurance covers the employee and the employee's spouse and children, when eligible. Regular status part-time employees that maintain an average of at least thirty (30) hours of work per week are eligible for single coverage benefits only. The City maintains the right to require employees to pay a portion of the insurance premium cost.

Employees are eligible to participate in the program on the first of the month following two (2) full calendar months of full time employment. A copy of the current dental benefit plan will be given to all eligible new employees in the orientation process and is available to all personnel who request it through the Human Resources Department.

The City of Grand Island will comply with all Consolidated Omnibus Budget Reconciliation Act (COBRA) laws that apply to each employee as he/she leaves employment.

Sec. 5.03 VISION INSURANCE

Vision insurance benefits are offered to regular status full-time employees. This insurance covers the employee and the employee's spouse and children, when eligible. Regular status part-time employees that maintain an average of at least thirty (30) hours of work per week are eligible for single coverage benefits only. The City maintains the right to require employees to pay the insurance premium cost.

Employees are eligible to participate in the program on the first of the month following two (2) full calendar months of full time employment. A copy of the current vision benefit plan will be given to all eligible new employees in the orientation process and is available to all personnel who request it through the Human Resources Department.

The City of Grand Island will comply with all Consolidated Omnibus Budget Reconciliation Act (COBRA) laws that apply to each employee as he/she leaves employment.

Sec. 5.~~02~~ 04 LIFE/ACCIDENTAL DEATH INSURANCE

All regular status employees who work on average at least thirty (30) hours per week will receive City-paid life/accidental death insurance coverage. This insurance covers the employee and the employee's spouse and children, when eligible. Employees are eligible to participate in the program on the first of the month following two (2) full calendar months of full time employment. Employees may obtain additional life and accidental death insurance at their own expense through the City.

A copy of the current life insurance benefit plan will be given to all eligible new hires during orientation and is available to all personnel who request it through the Human Resources Department.

Sec. 5.~~03~~ 05 CAFETERIA PLAN

The City provides employees with the opportunity to set money aside from their paychecks into a cafeteria plan. This plan allows an employee to set money aside for expected medical, ~~and~~ daycare expenses, and non-employer sponsored premiums on a pre-tax basis. For more details, contact the Human Resources Department.

Sec. 5.~~04~~ 06 ~~PENSION PLAN~~RETIREMENT SAVINGS PLAN

The City provides a ~~pension~~ retirement savings plan that full time employees are eligible for immediately. Participation is mandatory upon the first day of employment. Employees defer ~~6~~ seven and one-half (7.5%) percent (pre-tax) of their pay

into the ~~pension~~ retirement savings plan. The City matches the ~~6~~ seven and one-half (7.5%) percent contributed by the employee. Employees direct 100% of ~~Employee~~ employee and ~~Employer~~ employer contributions. The vesting schedule is as follows:

~~-~~1 year = 60%
~~-~~2 years = 70%
~~-~~3 years = 80%
~~-~~4 years = 90%
~~-~~5 years =100%

AMENDMENTS
The City reserves the right to change the retirement savings plan in accordance with mandatory existing and future statutes or federal legislation or regulations.

Sec. 5.~~05~~ 07 LONG TERM DISABILITY

The City provides its employees with long term disability coverage. Employees are eligible for coverage the first of the month following ~~60 days~~two (2) full calendar months of continuous full time employment.

Sec. 5.~~06~~ 08 TUITION REIMBURSEMENT

Tuition reimbursement ~~will~~ may be available after six (6) months of employment subject to the following qualifications, for the purpose of enhancing the knowledge and skills of employees to better perform their current duties:

Qualification Process – the determination of whether a request qualifies for the tuition reimbursement program shall be made by the Department Director and City Administrator based on the following considerations:

- There is budget authority.
- The course is to be a core course offered by an accredited college or university which is directly related to the job of the employee and books and fees are necessary for the course.
- There is Department Director and City Administrator approval.
- The employee requesting reimbursement is not eligible for other assistance programs.

Approval Process – To receive tuition reimbursement the employee must submit a “Tuition Request Form”, which contains the qualification information listed above as well as the employee’s financial request prior to beginning the course.

Reimbursement will be allowed for books and other fees. Tuition reimbursement is available only to regular full-time status employees. If the employee is eligible for other assistance programs the City will provide secondary benefits only.

Reimbursement Process – Any employee requesting tuition reimbursement will submit a grade report indicating the grade received for the class that was taken. Reimbursement will be as follows:

A or B – 100%
C – 85%

The City makes no commitment to provide for the total cost of a higher education course or for all courses leading to a degree. Each course shall be evaluated separately on its merit by the Department Director and the City Administrator to determine eligibility for tuition and related expense reimbursement. Doctoral or PhD level classes and degree programs are not eligible for reimbursement.

The Department Director will include the request for reimbursement in the next payroll period after appropriate documentation is ~~turned in~~received by the Human Resources Department.

Sec. 5.~~07~~ 09 BILINGUAL PAY

Employees who are proficient in an approved second language will be paid $1,500 per calendar year, payable in the second check in November. In order for an employee to collect bilingual pay, the employee must be actively employed in November. The Department Director will determine whether bilingual skills are needed based upon the interaction of the department with the public. If bilingual skills are needed, the Department Director will determine which languages are "approved" based upon the needs of the department as they relate to the demographics of Grand Island. ~~As amended October 15, 2014, Resolution 2014-318~~

A test will be given by the Human Resources Department to test the proficiency of the employees in each approved language before an employee is eligible for bilingual pay. The bilingual test will measure, among other things, an employee's conversational ability.

Bilingual pay will be prorated based on the employee's average hours worked. An employee that is hired as an interpreter will not be eligible for bilingual pay.

Sec. 5.~~08~~ 10 CLOTHING ALLOWANCE

Some departments require certain items of clothing as standard equipment. In those instances where a requirement has been imposed, the cost of said requirement will be either partially or fully paid by the City. Allowances vary by department and are subject to labor contracts.

Sec. 5.~~09~~ 11 VOLUNTARY EMPLOYEE BENEFITS ASSOCIATION (VEBA)

All non-union employees will be eligible to participate in the group VEBA. A contribution will be made on the employee's behalf each pay period. Employees will have access to the money in their VEBA account for eligible medical expenses upon ~~termination~~ their separation with the City. Human Resources will provide employees with material that further defines the plan.

NOTES

R E S O L U T I O N 2018-244

WHEREAS, the City of Grand Island has determined to amend the City of Grand Island Personnel Rules and Regulations; and

WHEREAS, chapters two through five have been amended.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that City of Grand Island Personnel Rules and Regulation are amended and become effective October 14, 2018.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, on August 21, 2018.

_____
Jeremy L. Jensen, Mayor

Attest:

_____
RaNae Edwards, City Clerk

Approved as to Form _____
August 23, 2018¤ City Attorney