

# City of Washington, Iowa



## PERSONNEL MANUAL 2017

(Updated through 2/2024)

# CITY OF WASHINGTON PERSONNEL MANUAL

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**MISSION STATEMENT  
OF THE CITY OF WASHINGTON, IOWA**

Washington city government exists to efficiently provide quality municipal services that are responsive to the needs of the community.

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**PERSONNEL MANUAL  
PURPOSE STATEMENT**

This Personnel Manual, or Manual, has been prepared to acquaint you with the City and your responsibilities as an employee. It is presented as a matter of information only.

This Manual does not constitute any form of employment contract, either express or implied. None of the terms, conditions or separate provisions of this Manual constitute any express or implied contract of employment or any express or implied contract regarding continued employment.

Except as otherwise provided by law or a separate contract not contained in this Manual, all employment with the City is "at-will". This Manual does not alter the at-will relationship between you and the City of Washington in any way. Any employee may terminate his or her employment with the City at any time for any reason. Likewise, the City may terminate any person's employment with the City at any time for any reason or for no reason.

The City reserves the unilateral right to change, delete or add to any provision of this Personnel Manual at any time. In the event any provision of this Manual conflicts with a collective bargaining agreement between the City and a certified employee bargaining organization, the terms and conditions of the agreement shall supersede the conflicting terms and conditions of this Personnel Manual. In this regard, no provision of this Personnel Manual shall be construed to change the terms and conditions of a collective bargaining agreement with respect to unionized employees, either to their benefit or detriment, covered by said collective bargaining agreement.

## DEFINITIONS

- A. CITY: The City of Washington, Iowa.
- B. CITY COUNCIL: All voting members of the City of Washington, Iowa City Council.
- C. COMPENSATION: The salary, wage, allowances, and other forms of valuable consideration, earned by or paid to any employees by reason of service in any position, but does not include allowances authorized and incurred incident to employment.
- D. DISABLED PERSON: Any person who has a physical or mental impairment which substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such an impairment, as defined by applicable state law.
- E. FRINGE BENEFITS: Employee compensation other than wages, such as, but not limited to: medical insurance, holiday pay, vacation, sick leave, retirement, jury leave, personal leave, military leave, injury leave, and longevity pay.
- F. FULL-TIME EMPLOYEE: A Full-Time Employee is defined as any employee that qualifies as a full-time employee pursuant to the Affordable Care Act.
- G. IMMEDIATE FAMILY: Includes: spouse, mother, father, brother, sister, children, mother-in-law, father-in-law; or any relative within the first degree living in the household.
- H. LEAVE: An approved absence from work.
- I. OVERTIME: Approved time worked by an employee in excess of forty hours for the week.
- J. PART TIME EMPLOYEE: An employee who works less than 1440 hours per year either on a regular schedule or intermittent basis.
- K. POSITION: A group of specific duties, tasks, and responsibilities assigned by an appointing authority to be performed by one employee. A position may be part-time or full-time, temporary or regular, occupied or vacant.
- L. PROBATIONARY PERIOD: That period of time, twelve months of continuous hire for the employee's date of hire, during which an appraisal of the new or reassigned employee's skills, aptitudes, and adjustments is made prior to appointment to a regular position.
- M. REGULAR EMPLOYEE: An employee who is not temporary and has successfully completed a probationary period.
- N. SUSPENSION: The temporary separation of an employee for disciplinary purposes.
- O. TEMPORARY EMPLOYEE: A person who is hired for a short period of time on a seasonal or emergency basis.
- P. TERMINATION: The separation of an employee from service, to include: death, resignation, discharge with or without cause, layoff, or retirement.
- Q. WORK WEEK: the regularly scheduled work day of the employee involved.

## **GENDER**

Unless the context in which they are used clearly requires otherwise, words used in this Manual denoting gender shall be deemed to refer to both the masculine and feminine.

## **CHAPTER 1**

### **GENERAL INFORMATION**

#### **CITY GOVERNMENT AS AN ORGANIZATION**

The City of Washington is an organization of Municipal Government governed by a Mayor and six Council members who are elected by the citizens of Washington to serve four-year terms on a nonpartisan basis. The City Council holds all legislative and policy making authority. The Mayor serves as chair of the City Council, appoints (or recommends the appointment to Council) of members of advisory boards and committees and possesses certain executive authorities as set forth by state statute and city ordinances. The City Administrator administers the day-to-day operations of policies formulated by the City Council according to the Municipal Code and other regulations.

The City of Washington consists of many departments and divisions, as well as boards and commissions that serve to provide the organized efforts resulting in total municipal services. An organizational chart is provided in this Manual in Appendix C.

#### **GENERAL PERSONNEL POLICY**

It is the policy of the City of Washington that the policies set forth in this Personnel Manual apply to all city employees, including those employees subject to a collective bargaining agreement, unless specifically stated otherwise. In case of conflict with a bargaining unit contract, the contract shall supersede these personnel policies of the City.

All employees covered by these personnel policies shall be delivered a copy of the Personnel Manual and a copy of any amendments or revisions to these policies, which may be made from time to time. For an employee hired after the adoption of the policies, he or she shall receive a copy of the Personnel Manual within seven days of beginning employment.

At the end of this Manual is an acknowledgment form to be signed by the employee indicating that he/she has received a copy, has read and understands the policies in this Manual, and will comply with the policies. The receipt will be signed and dated by the employee within fourteen (14) days of starting employment and returned to the office of the City Administrator for placement in the employee's personnel file.

Should any Article of this Manual conflict with state or federal law or any city ordinance, that law or ordinance shall prevail and that portion of the Manual shall be void, however, the rest of the Manual shall remain in full force and effect.

Every City employee shall be provided with a copy of these rules and any amendments as they are promulgated, and every city employee shall be required to sign a receipt for said rules. In addition, these rules shall be kept on file in each department.

The City reserves the right to alter, amend, enlarge or repeal all or any of these policies unilaterally without prior notice and the same may have retroactive application. The City also reserves the right to adopt new policies to govern matters or situations not contemplated or foreseen at the time of adoption of these policies and the new policy may have retroactive application to the matter or situation which was not previously contemplated or foreseen.

## **EQUAL EMPLOYMENT OPPORTUNITY**

The City is an Affirmative Action/Equal Opportunity employer. It is the policy of the City to provide full equal opportunity in employment regardless of race, color, sex, gender identity, sexual orientation, pregnancy, creed, religion, national origin, age, genetic information, or disabilities. The City shall take every appropriate action to bring about full equal opportunity in employment in areas including, but not limited to, publicity of job openings, recruitment, examination and selection procedures, training, promotion, salaries, wages, demotions, terminations, layoffs, and recalls.

The City will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

## **NON-DISCRIMINATION**

The City will not tolerate discrimination by or against any employee on the basis of age, race, creed, color, sex, national origin, religion, disability, sexual orientation, gender, pregnancy, genetic information, or any other characteristic protected by law. Employees of the City shall be free to join or refrain from joining any employee union or association.

All decisions regarding hiring, recruitment, examination and selection procedures, training, promotion, salaries and wages, demotions, discipline, terminations, layoffs, and recalls shall be performed without regard to any protected class status. No question in any examination, or any employment form, or in any other personnel proceeding, shall be so framed as to elicit information concerning political or religious opinions or any other information that would indicate an applicant's or employee's status in a protected class.

The City will not tolerate discrimination in any form. Any employee who is experiencing or is observing discrimination by anyone, including supervisors, department heads, co-workers, or visitors to the workplace, should immediately report the discrimination to his or her immediate supervisor or the City Administrator.

The person receiving a complaint of discrimination shall immediately notify the City Administrator who will promptly name an impartial investigator. Investigations will be conducted in a timely manner. Confidentiality will be maintained to the extent that is reasonably practical.

Investigation of a complaint normally will include interviewing the parties involved and any named or apparent witnesses. All employees are expected to cooperate with an investigation. All employees shall be protected from coercion, intimidation, retaliation, interference, or discrimination for filing a complaint under this policy, participating in an investigation, or filing a complaint with a state or federal agency.

Any employee determined after investigation to have discriminated against another employee will be subject to appropriate disciplinary procedures depending upon the severity of the behavior, up to and including termination. A non-employee who subjects an employee to discrimination in the workplace will be informed of the City's policy against discrimination by the City Administrator. Other action may be taken as appropriate.



Through this policy, the City is affirming its commitment to create a work environment for all employees that is free of any form of discrimination or retaliation.

## **AMERICANS WITH DISABILITIES ACT AS AMENDED**

If an applicant or employee has or believes he or she has a disability as defined by the Americans with Disabilities Act as Amended (ADAAA), and the disability requires a reasonable accommodation for the applicant or employee to perform his or her essential job functions, the applicant or employee should notify the City with that information. In compliance with the ADAAA, the City will engage in the interactive process with qualified applicants or employees with disabilities to determine if a reasonable accommodation exists that will allow the applicant/employee to perform his/her essential job functions. The City encourages applicants or employees to raise any issues implicating the ADAAA with his/her immediate supervisor or the City Administrator. All information regarding employees' disabilities and/or medical information shall be kept in a separate confidential medical file for the employee.

## **CONFLICTS OF INTEREST**

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. Activities that are inconsistent, incompatible, or in conflict with City employment include, but are not limited to:

- A. Any employment activity or enterprise which involves the use of the City's time, facilities, equipment or supplies, prestige or influence of a City office or equipment to give the employee or the employee's immediate family members an advantage or pecuniary benefit that is not available to other similarly situated members or classes or members of the general public.
- B. Any employment or activity that involves the receipt of, promise of, or acceptance of money or other consideration by the employee or a member of the employee's immediate family from anyone other than the City for the performance of any act that the person would be required or expected to perform as part of the person's regular duties during the hours during which the person performs service or work for the City.
- C. No City employee shall, directly or indirectly control, inspect, review, audit or enforce the responsibility of his or her office in any activity or enterprise in which he or she, or his or her immediate family, or his or her partner, or an organization which employs, or is about to employ any of the above, has a financial or other interest in the firm selected.
- D. All employees shall comply with state law provisions involving conflict of interest. Employees shall not accept personal gifts offered to them because of their employment with the City, provided that this rule shall not apply to gifts non-monetary value of less than \$3.00 received.
- E. No City employee or officer shall accept any consideration given to influence him or her in the performance of his or her duty.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to the Mayor and the City Council as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Failure to abide by this policy is considered very serious and will result in immediate disciplinary action up to and including termination.

## **EMPLOYEE APPLICATIONS**

Recruitment for City employment is normally handled by the City Administrator's Office, except as authorized by the City Administrator. Through a wide recruitment program, the City seeks qualified applicants to fill entrance position vacancies through active recruitment methods. In order to make the greatest number of applicants aware of vacancies occurring in city employment, the City Administrator's Office may notify various recruitment sources through the distribution of job vacancy postings. In addition, vacancy announcements are posted on the bulletin board in the main lobby at City Hall and City departments for the information of other City employees.

Selection for City positions is determined by the City Administrator, upon recommendation of a department head, after a variety of selection methods have been used. Depending on the nature and status of the position wherein the vacancy occurs, examinations may be held, and subsequent to certification under this procedure, interviews are held to determine the candidate best suited to fill the City vacancy. Vacancies are filled in this manner subject to employment requirements.

In order to provide our present City employees with first opportunity on promotional vacancies, postings of examination occurs for a period of at least five (5) days prior to open outside recruitment. During this time, present employees past probationary status may apply for the promotional vacancies. However, such employees are not guaranteed said positions and the City is not obligated to hire from within for these positions. When present employees wish to be considered for promotional vacancies, contact must be made directly with the City Administrator's office within the internal promotional five-day limit.

Job applications, promotion and transfer requests must be in writing. Applications for employment shall be made on forms furnished by the City. Forms must be returned to the City Administrator's office by the closing date on the job announcement. The City will retain applications for employment for twelve months.

All procedures established for selection purposes will provide for selection based on the relative ability, knowledge, and skills of the applicant. Selection procedures will attempt to maximize validity, reliability, and objectivity. The City will evaluate applicants on the basis of job related criteria.

All applicants or current employees seeking transfer or promotion will be required to participate in any testing procedure established by the City.

All applicants for a position will be notified of the status of their applications at the time of selection of an applicant for a position.

Position reclassifications will not be posted if it can be determined that the job incumbent is qualified to fill the position.

## **EMPLOYMENT REFERENCE CHECKS/OPEN RECORDS REQUESTS**

The City will respond in writing only to those reference check and open records inquiries that are submitted in writing. Responses to such inquiries will only include information as permitted under Iowa Code Section 22.7. No employment data will be released without a written authorization and release signed by the individual who is the subject of the inquiry, unless authorized by court order or required by federal or state law.

## **CITIZENSHIP VERIFICATION**

All new employees initially hired after November 7, 1986, for any position with the City, shall complete an employment eligibility verification statement in compliance with the federal Immigration Reform and Control Act of 1986. Before commencing work, newly re-hired employees must also complete the form if the employee has not previously filed an I-9 with the City, if their previous I-9 is more than three years old, or is no longer valid. At the time the form is completed, employees must show the original copies of two forms of legal identification, such as driver's license, Social Security card, Birth Certificate, or an Immigration and Naturalization "green" card.

## **VETERAN'S PREFERENCE**

Military experience may be a factor in the hiring decision, as provided by Iowa's Veteran's Preference law. (Chapter 35C).

## **EMPLOYEE EFFICIENCY AND ORGANIZATIONAL EXPECTATION**

City of Washington employees are expected to represent the City as responsible, courteous, and efficient members of public service. In addition, prompt and dependable work attendance is required. Because of the obligation to provide a public service to the community, consistent and positive commitment is necessary from each employee to both the City and to his/her fellow employees in order to maintain organizational expectations.

Tardiness, lateness and chronic absenteeism may be grounds for disciplinary action. Fraudulent or dishonest use of the sick leave benefit earnings (i.e., using sick leave benefits while not really sick) will also be considered in the discipline process, as paid sick leave is intended for protective insurance against loss of pay when sick. Work operations depend on teamwork, and each employee is needed on the job to fulfill the City's commitment in public service.

## **PAYROLL INFORMATION**

Upon employment, the City will advise you in writing of your starting rate of pay. Payday for all City employees occurs on a biweekly basis with paychecks being released from the City Administrator's Office at 9:00 a.m. every other Friday. Employees hired on or after July 1, 2005 are required to participate in direct deposit. For employees hired before July 1, 2005 who do not choose to use direct deposit, paychecks will be distributed through the departments. Automatic payroll deductions normally occur for such items as federal and state taxes, FICA, IPERS, health insurance, life insurance, and deferred compensation. All amounts taken from your checks through payroll deduction will be indicated on the paycheck stub. You may direct questions regarding paychecks to the City Finance Director.

## **EMPLOYEE PERFORMANCE APPRAISAL PROGRAM**

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Additionally, the City requires that employees be evaluated on a formal basis.

As a new employee, you will be expected to perform the responsibilities of the position to which you have been assigned to the best of your ability. Your supervisor will observe your work and perform performance evaluations during your probationary period. Your employment status will be upgraded from probationary to regular at the end of your probationary period upon receiving a successful performance evaluation.

After your initial probationary period evaluation and as part of your ongoing City employment, your supervisor will periodically review your work performance. All City departments conduct annual evaluations for regular employees, which provides an opportunity for employees and evaluating supervisor to jointly view performance in line with job responsibilities and effectiveness, and to initiate planning, goal setting, and identification of work efforts for the upcoming year. The annual evaluation also provides an outlet for City/employee communication regarding the employee's work in conjunction with effective departmental operations.

The City conducts employee evaluations in conjunction with employee movement to a new step in his/her pay grade. All formal performance evaluations will be in writing and shall be retained in the employee's personnel file. All performance evaluations will be kept confidential.

## **NO SMOKING POLICY**

Pursuant to the Iowa Smokefree Air Act, smoking is prohibited on all City property including on all grounds, in all buildings, vehicles and equipment according to Iowa Code Chapter 142D. If an employee sees someone violating this law or is told that someone is violating this law, the employee must investigate and inform the person of the law. If a smoker fails to comply with the law after being so informed, employees must call the police. Smoking is defined for this purpose to include the use of electronic cigarettes or similar products.

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

## **EMPLOYMENT SEPARATION**

The City expects employees wishing to resign to provide at least two weeks' notice to the department head or department supervisor and to sign a Voluntary Resignation form stating the complete reason for your resignation. Your resignation date will be your last actual working day. Vacation or other paid leave may not be used to "extend" that date.

## **EXIT INTERVIEW**

An exit interview will be scheduled with a terminating employee prior to the last day of work. This will provide a continued review and record of employee turnover, and each employee leaving the City of Washington employment will be asked to fill out an exit questionnaire. The City will also provide information about health insurance coverage at the exit interview.

## **USE OF CITY EQUIPMENT AND CONDUCT**

City employees are subject to the provisions of Chapter 68B of the Iowa Code and shall familiarize themselves with this section. As a public employee, you are employed in a capacity to provide service to the public. We ask that you be courteous to the public and make an effort to provide the best service possible.

No city employee shall use or permit the use of any publicly owned property, vehicle, equipment, labor, service, or supplies (new, surplus, scrap or obsolete) for the personal convenience or advantage of the employee or any other person except for that use which is generally available to the public.

If an employee determines that he or she has an outside interest that may be affected by the City of Washington plans or activities, or result in a conflict of interest, the employee must immediately report the situation to his or her department head, or in the case of department heads, to the City Administrator.

Violation of any provision of this policy may be cause for discipline or discharge of the employee.

## **EMPLOYEE SAFETY EQUIPMENT AND POLICIES**

### **Safety Eyeglasses:**

The City of Washington will reimburse full time city employees the purchase price of OSHA approved prescription safety eyeglasses to a maximum of \$100.00 every two years. A current eye exam will be required at the expense of the employee. Eyeglasses damaged on the job upon review may be replaced on a case by case basis.

### **Uniforms:**

The City of Washington will reimburse and/or furnish uniforms for full time city employees, with the following limitations and restrictions:

1. All city employees will be furnished an ANSI Class 2 safety vest, hard hat and a job appropriate pair of work gloves. These PPE items will be replaced on an as needed basis only when the original equipment is turned back into your department supervisor.
2. T-Shirts, rubber boots, chemical gloves, and other job specific PPE required for the job will be provided as determined by the department supervisor.
3. The city will reimburse full time employees the purchase price of OSHA approved safety boots to a maximum of \$100.00 every two years.
4. The city will furnish full time employees a Class 3 safety jacket every two years.
5. Office and inspection employees are encouraged to wear City of Washington branded apparel, and the City will provide up to two such shirts or apparel items each year.

Clothing damaged on the job upon review may be replaced on a case by case basis. No reimbursement will be granted by the city without the original sales receipt for the items claimed for reimbursement.

The clothing allowance is not an entitlement to any particular employee and all funds allocated in the departmental budgets will not necessarily be expended in a given year. Items furnished are expected to be used during working hours only. Usage and purchases will be strictly monitored by the City Administrator and Safety Director.

Police Department employees will be provided uniforms, equipment, and PPE necessary to perform their duties. Requests for equipment or replacements should be directed to the Chief of Police.

Employees are responsible for compliance with all provisions of the most recently adopted Safety Manual for the City of Washington, and employees should immediately bring any unsafe practices, need for safety equipment, or ideas for safety improvements to the attention of the Safety Director or their department head.

## **CITY ADMINISTRATOR'S OFFICE**

During your time of employment, questions may arise regarding personnel practices, City benefits, or other employment matters. You should direct these questions to your department head or the City Administrator.

## **PERSONNEL DATA CHANGES**

It is the responsibility of each employee to promptly notify their department head of any changes in personnel data. Elected and appointed officials should report changes in personnel data to the City Administrator. Personal mailing addresses, telephone numbers, e-mail address, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishment, and other such status reports should be accurate and current at all times.

## **GIFTS**

City employees are subject to the provisions of Chapter 68B of the Iowa Code, and should familiarize themselves with this section. City employees and their immediate family members are prohibited from soliciting or accepting any gift or series of gifts because of their employment with the City. The only exception is an employee or his or her immediately family may receive a nonmonetary gift with a value of three dollars or less per calendar day. Violation of this policy may result in discipline up to and including termination.

## **IMPARTIALITY**

The provisions of Section 362.5 of the Iowa Code are applicable to City employees, and employees should familiarize themselves with this section. No City employee may grant or make available to any person any consideration, treatment, advantage or favor beyond that which it is the general practice to grant or make available to all citizens.

City employees must refrain from securing special privilege or exemption for themselves or their relatives beyond that which would be available to all citizens. Employees must not use privileged information for their own financial advantage or to provide friends and acquaintances with financial advantages or with information that could be used for financial advantages. Each employee is charged with the responsibility of insuring that he or she releases only information that should be made available to the general public. Employees violating this policy may be subject to discipline up to and including termination.

## **PURCHASING POLICY**

The City Council has adopted a formal purchasing policy to be used by city staff when making purchases on behalf of the City. Employees may obtain copies of this written policy statement from the City Administrator's Office. Any use of city-issued credit cards shall conform to the City's purchasing policy.

## CHAPTER 2

### HARASSMENT AND SEXUAL HARASSMENT

Illegal harassment is defined as offensive verbal or physical conduct based on a person's race, creed, color, religion, sex, pregnancy, sexual orientation, national origin, age, gender, genetic information, disability, or any other characteristic protected by law which has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Harassing conduct in the workplace includes, but is not limited to: epithets, slurs, or negative stereotyping; threatening, intimidating or hostile acts or words; and written or printed material that denigrates or shows hostility toward an individual or group made or posted in the workplace or in the course of employment for the City.

Harassment also includes sexual harassment. Sexual harassment is illegal discrimination on the basis of sex. It can consist of unwelcome sexual advances, requests for sexual favors, or other physical or verbal conduct of a sexual or harassing nature by supervisors, managers, co-workers, or others in the workplace. Sexual harassment exists when:

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

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

1. Verbal conduct such as sexual innuendo, suggestive comments, jokes of a sexual nature, sexual propositions, or threats;
2. Nonverbal or visual materials such as derogatory posters, photography, graffiti, cartoons, drawings, or gestures;
3. Physical conduct such as unwelcome touching, hugging, kissing, coerced sexual contact, or assault;
4. Threats or demands to submit to sexual requests in order to keep your job or receive some job-related benefit; or
5. Retaliation for reporting or threatening to report harassment.

It is the policy of the City that all employees are responsible for maintaining a workplace free from sexual harassment. Submission to sexual harassment shall not be a condition of employment or advancement with the City. The City strongly disapproves of offensive or inappropriate sexual behavior in the workplace, and all employees must avoid any conduct, which could be viewed as sexual harassment.

The City will not tolerate harassment in any form. Any employee who is experiencing or is observing harassment by anyone, including supervisors, department heads, co-workers, or visitors to the workplace, should immediately report the harassment to his or her immediate supervisor or the City Administrator.



The person receiving a complaint of harassment shall immediately notify the City Administrator who will promptly name an impartial investigator. Investigations will be conducted in a timely manner. Confidentiality will be maintained to the extent that is reasonably practical.

Investigation of a complaint normally will include interviewing the parties involved and any named or apparent witnesses. All employees are expected to cooperate with an investigation. All employees shall be protected from coercion, intimidation, retaliation, interference, or discrimination for filing a complaint under this policy, participating in an investigation, or filing a complaint with a state or federal agency.

Any employee determined after investigation to have harassed another employee will be subject to appropriate disciplinary procedures depending upon the severity of the behavior, up to and including termination. A non-employee who subjects an employee to harassment in the workplace will be informed of the City's policy against harassment by the City Administrator. Other action may be taken as appropriate.

## **RETALIATION**

Employees who make good faith claims of discrimination or harassment shall not be subjected to retaliation. Witnesses who, in good faith, participate in any investigation regarding discrimination or harassment, shall not be subjected to retaliation. Retaliation is punishing an employee by demoting them, terminating them, or changing their work conditions in a material way.

The City shall not tolerate retaliation. Claims of retaliation should be brought to the attention of the employee's supervisor or the City Administrator. If an employee reports retaliation to his or her supervisor the supervisor shall report it to the City Administrator.

Upon receiving a complaint of retaliation, the City Administrator shall promptly name an impartial investigator. Investigations will be conducted in a timely manner. Confidentiality will be maintained to the extent that is reasonably practical. Investigation of a complaint normally will include interviewing the parties involved and any named or apparent witnesses. All employees are expected to cooperate with an investigation. All employees shall be protected from coercion, intimidation, retaliation, interference, or discrimination for filing a complaint under this policy, participating in an investigation, or filing a complaint with a state or federal agency.

Any employee determined after investigation to have retaliated against another employee will be subject to appropriate disciplinary procedures depending upon the severity of the behavior, up to and including termination. A non-employee who subjects an employee to retaliation in the workplace will be informed of the City's policy against retaliation by the City Administrator. Other action may be taken as appropriate.

## **CHAPTER 3**

### **POLITICAL ACTIVITY**

City employees are free to engage in political activities such as campaigning for candidates and contributing money to candidates and/or parties of their choice during non-working hours. An employee may not make any political endorsement in connection with their job.

An employee of the City may not use his/her official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office. A City employee may not secure or attempt to secure a job appointment for another person with the City for the purpose of influencing the vote or political action of that person.

A City employee who supervises a person or persons shall not solicit said person or persons to contribute money, anything of value, or service to a candidate seeking election, or political party or a candidate's political committee.

If an employee becomes a candidate for any City of Washington elective office, the employee automatically receives a leave of absence without pay. The leave without pay begins upon either an announcement of the employee's candidacy or filing of a petition for office. However, this will not be later than thirty (30) days before the primary or general election day, and it continues until the employee is no longer a candidate.

If elected, an employee would be required to resign their regular City position.

However, an employee may be a candidate for a non-partisan office that is not related to the employee's employment. If this is the case, an employee will not be required to take the leave of absence without pay, as long as the employee does not campaign while on duty as an employee or let campaigning for such non-partisan office interfere with the employee's job responsibilities to the City.

## **CHAPTER 4**

### **PERSONNEL FILES / EMPLOYEE ACCESS**

The City maintains a personnel file on each employee. The personnel file includes, but is not limited to, such information as the employee's job application, resume, and records (i.e., training documentation, performance appraisal, salary increases and other employment records). Personnel files are the property of the City, and access to the information they contain is restricted. Generally, only official representatives of the City who have a legitimate reason to review information in a file are allowed to do so.

Employees who wish to review their own file should request to do so in writing to the City Administrator's office. With reasonable advance notice, employees may review their own personnel files in the City's offices and in the presence of the City Administrator or his or her designee. The City shall charge a reasonable fee for each page of a copy made by the City for the employee of an item contained in the employee's personnel file pursuant to Iowa law. Employees shall have the permission of their department head to view their personnel files during the workday.

## CHAPTER 5

### TRAVEL & TRAINING

When approved by the department head or City Administrator, all appropriate continuing education and training expenses shall be paid for by the City. Department heads may approve in-state travel requests. Out of state travel must be pre-approved by the City Administrator. All employees involved in continuing education and training will be paid their regular rate of pay for all time spent in continuing education and training sessions. The City reserves the right to adjust an employee's regular weekly schedule to assure the employee is being paid during this time.

The City will pay for meals and expenses incurred in attending approved training sessions, meetings or seminars on a reasonable basis. What is reasonable shall be in the sole discretion of the City Administrator. Amounts for meals greater than \$40.00 may be considered unreasonable.

Receipts must be retained and submitted for reimbursement for any expense incurred for meals when on approved travel. Upon return, employees must complete an expense form within sixty (60) days and attach itemized receipts to receive reimbursement. Alternatively, or additionally, the department head or City Administrator may authorize the employee to carry and utilize a City credit card for the duration of the travel. All credit card receipts must be kept and submitted within the time period necessary to allow for timely payment of the bill by the City. The City will not reimburse, nor may a City credit card be used for expenses related to gratuity greater than 20% of a bill, personal entertainment, or alcoholic drinks.

Employees will attempt to travel and reach the location of the session during regular working hours if possible, by the most direct route. Any compensation for time an employee spends travelling will be governed by the Fair Labor Standards Act and the particular circumstances. If the session exceeds one day, and overnight stay is required, lodging will be reimbursable for a standard hotel room only. Employees will be compensated for mandatory time spent in training, plus the travel time from the City to the session and vice versa.

The City will provide a vehicle for transportation if available. If a City vehicle is not available for approved travel, employees will be reimbursed for any mileage incurred on a personal vehicle due to City business, excluding transportation to and from the employee's place of work. This will be at the IRS mileage rate. All claims for mileage reimbursement must be submitted within sixty (60) days after return from the travel or training. The same mileage reimbursement policy shall apply to employees authorized by the City Administrator to utilize their personal vehicles for regular City business in or around the City of Washington.

## CHAPTER 6

### VEHICLE USE

All current employees and applicants for employment required to drive a City vehicle in the course of their employment shall have a valid driver's license and/or Commercial Driver's License as required. Loss of license or loss of insurability by the City's insurance carrier may be grounds for termination. Anyone authorized by a department head or the City Administrator may drive a City-owned vehicle if they have a valid driver's license.

City-owned vehicles shall not be used for private or unauthorized purposes. Employees shall be responsible for the care and conservation of City-owned vehicles and shall report promptly accidents, breakdowns, or malfunctioning of any unit in order that necessary repairs may be made.

City-owned vehicles are to be taken home only in cases where the employee is subject to emergency calls during off-duty hours or as determined by the City Administrator. City-owned vehicles may not be taken home if the employee's residence is outside City limits, except as authorized by the City Administrator. Furthermore, city-owned vehicles may not be used for transportation to places of secondary employment.

Those employees with assigned vehicles shall be considered to derive a certain amount of personal benefit by its usage and are provided the option of leaving the vehicle at their primary place of employment or taxed accordingly for the personal benefit thereof pursuant to Internal Revenue Service regulations.

In using the City's vehicles, employees must keep in mind the fact they are representatives of the City and that their conduct adhering to the rules of safety and courtesy on the road is a reflection on the entire organization and its level of law enforcement. Employees shall use a seat belt at all times when operating a city-owned vehicle or a personal vehicle while working on behalf of the City. Furthermore, employees shall require that all passengers use a seat belt when operating a city-owned vehicle or a personal vehicle while working on behalf of the City.

City-owned vehicles shall not be operated by persons who are not City employees, except in emergency situations or as authorized by the City Administrator. Non-City employees shall not be transported in City vehicles without department head approval.

Employees shall promptly and accurately complete all records required by the employer to substantiate both business and personal use of City vehicles to meet Internal Revenue Service requirements. The City shall report an employee's personal use of a City vehicle as taxable income to the employee as required by the Internal Revenue Service.

## **CHAPTER 7**

### **RESIDENCY REQUIREMENTS**

Full-time public safety employees must reside within the city limits or within thirty (30) minutes driving time of the city limits, in order to ensure rapid response in times of emergency.

The City of Washington does not restrict residency of other employees except that each non-public safety employee must be a resident of the State of Iowa within 90 days of hire and must maintain Iowa residency throughout employment.

**CHAPTER 8**  
**OUTSIDE EMPLOYMENT**

An employee working in any position in addition to his/her full-time position with the City must notify the department head and City Administrator of such outside employment. The City Administrator may use the following factors in determining whether to approve of such outside employment:

1. Whether the outside employment interferes with the employee's effectiveness in performing regular or emergency duties for the City or conflicts with the employee's regular working hours;
2. Whether the outside employment represents a conflict of interest with City employment;
3. Whether the outside employment causes the employee to engage in any business other than his/her regular duties during working hours.

## **CHAPTER 9**

### **EMPLOYMENT OF RELATIVES**

Relatives by definition are: spouse, mother, father, brother, sister, children, mother-in-law, father-in-law, other first-degree relatives, aunt, uncle, niece, nephew, in-laws, cousins of the first degree, and grandparents.

The City will not employ relatives to work within the same department of the City in full-time, regular positions, except by special permission of the City Council, upon written recommendation of the City Administrator. In no case shall relatives work in supervisory/subordinate employment situations.

Notwithstanding the foregoing, when, subsequent to employment, an employee marries causing a relationship contrary to the above policy, all efforts possible shall be made to prevent a subordinate/supervisory relationship between the relatives. Section 71.1 of the Code of Iowa shall apply.

No City employee shall be required to terminate employment due to the election of a relative to any elective City office.



## **CHAPTER 10**

### **PHYSICAL EXAMINATIONS**

The City may require that an employee be examined by a qualified and licensed physician or other appropriate medical professional selected by the City if the City becomes aware of objective evidence that indicates that the employee may not be able to safely perform his or her essential job functions and/or prior to an employee's return to work following time off for a serious injury or illness. Following the examination, the employee shall provide a written statement from the physician indicating that the employee is capable of performing the essential functions of the employee's job with or without reasonable accommodations, or is capable of performing the essential functions of another job, which is open/available and for which the employee is qualified, with or without reasonable accommodations.

## **CHAPTER 11**

### **PROBATIONARY PERIOD**

All City employees are at-will unless they have a contract or agreement that states otherwise. At-will employees can be terminated at any time with or without cause. A probationary employee is one who has not completed twelve (12) months of continuous service with the City. The City may discharge a probationary employee with or without cause without any right of hearing or appeal.

Employees who are promoted or transferred will serve a twelve (12) month probationary period in the new position. If during this period it is determined that the employee is not satisfactorily performing in the new position, the employee may be returned to his or her former classification if a position is available. If the new position is not available the employee may be terminated. Temporary employees do not have a probationary period.

#### **EXCEPTIONS:**

Employees covered by Public Works contract: requirements as outlined in contracts.

Non-certified Police Officers will be on probationary status for one year following their Iowa Law Enforcement Academy certification date.

## CHAPTER 12

### PROMOTIONS, DEMOTIONS AND TRANSFERS

Positions within City departments may be filled through internal promotions, where possible, in accordance with City policy of hiring and promoting individuals on the basis of merit. Promotional salary shall be within range for the position classification assigned.

Demotions will bring the salary of the demoted employee to be within the range established for the classification to which he/she is demoted.

Transfers of employees from one department to another within the same classification may occur when it has been deemed to be in the interest of the City to do so.

When an employee is promoted to a classification having a higher pay range, the employee shall receive a salary increase to the first step in the new pay range or to the pay step in the new range next above the one formerly assigned. When circumstances warrant, the City Administrator may make an exception to this policy.

#### **EXCEPTIONS:**

Temporary Employees: Provisions not applicable.

Employees covered by the Public Works union contract: Requirements as outlined in union contract.

**CHAPTER 13**  
**HOURS OF WORK**

This section is intended to set forth the normal work day, work week, and work month, but shall not be construed as a guarantee of hours of work per day, per week, or per month, or days of work per week or per month.

Typically, the normal work week for full-time, regular employees is forty (40) hours per week exclusive of unpaid lunch periods, with the work week running from Saturday thru Friday. Part-time employees' schedules and hours vary according to City needs. The City may change schedules for all employees from time to time to meet City needs. The City shall have the right to reduce, extend, or maintain the hours of work for any employee, and the employee shall be required to work at times as scheduled by the City. The City will strive, when possible, to give advance notice of any major change of working schedule.

Each full-time employee may take a fifteen (15) minute rest period during the first half of the employee's shift and a second such rest period during the second half of the employee's shift. The time of such rest periods may vary from time to time and may be subject to approval by the employee's supervisor.

Under normal circumstances, no employee shall work a tour of duty in excess of sixteen (16) hours and, after working such an extended tour, should return to work earlier than four (4) hours after completing the first extended tour of duty.

**EXCEPTIONS:**

Exempt Personnel: The normal work week hours for exempt employees is forty (40) hours per week. However, due to the nature of these positions, work in excess of the normal hours may be performed.

Full-time, regular Fire Driver/Pump Operators: Pump operators/drivers shall work a rotating schedule of 24-hour shifts, once every four (4) days.

Full-time, regular Police Officers: Police Officers generally work twelve (12) hour shifts in a typical-schedule of no more than 171 hours in a 28-day period.

## CHAPTER 14

### OVERTIME AND COMPENSATORY TIME

Overtime shall be defined as any time actually worked in excess of forty (40) hours per week for non-public safety employees. Employees shall receive prior approval before working any overtime. Failure of an employee to receive prior approval before working any overtime shall result in discipline. It is the policy of the City to keep overtime work to a minimum. Employees shall be required to work such overtime as the City may require. Time taken off as sick leave, vacation, holidays, jury duty, voting leave, bereavement leave, and compensatory time shall not be counted as time worked for purposes of determining overtime. Notwithstanding that, scheduled weekend work for public works employees shall be compensated at an overtime rate.

When an employee is required to work in excess of forty (40) hours per week, he/she shall be paid at the rate of 1.5 times his/her normal rate of pay or receive compensatory time at the rate of 1.5 times the time worked. Compensation shall not be paid twice for the same hours, nor shall there be any pyramiding of overtime. Overtime will be compensated at the rate of 1.5 times the employee's regular straight time hourly rate of pay. It shall be computed to the nearest quarter hour for payment.

The City may grant an employee compensatory time off based on 1.5 hours off for each hour of overtime worked. The City and the employee shall mutually agree to the granted time off. Time granted shall be in increments of not less than four (4) hours or more than eight (8) hours. An employee may not use compensatory time if such use shall cause another employee to work overtime. An employee shall not accumulate at one time more than forty-eight (48) hours of compensatory time without the written approval of the department head. It must be taken as time off and cannot be converted to pay, except upon termination from employment.

An employee who is called back to work by the City shall be paid a minimum of two (2) hours pay or compensatory time off at the overtime rate, unless such callout is one hour or less prior to the employee's regular shift. Callout does not apply where an employee is ordered to work immediately before or after the employee's regular shift.

#### **EXCEPTIONS:**

**Management/Supervisory Employees:** Management/supervisory personnel who are exempt from the Federal Fair Labor Standards Act are not entitled to overtime compensation. However, such employees shall annually receive twenty-four (24) hours of compensatory time from the City. Management/supervisory personnel who are not exempt from the federal Fair Labor Standards Act shall receive compensatory time and overtime pursuant to such Act.

**Police Officers:** Police Officers shall be paid overtime in accordance with the Fair Labor Standards Act for any hours worked over of 171 hours in the 28-day pay period. Employees scheduled to work an extra-shift, that does not result in an overtime pay situation, will be paid straight-time or allowed to take those hours as compensatory time, subject to a maximum accumulation of sixty (60) hours of comp time. Police Officers shall annually receive twenty-four hours of personal leave.

**Fire Drivers/Pump Operators:** Fire Driver/Pump Operators earn overtime for work performed in excess of two hundred twelve (212) hours in a twenty-eight (28) day period.

## **CHAPTER 15**

### **JURY DUTY**

The City of Washington will pay all full-time employees called to serve on any jury or subpoenaed for witness duty the difference in wages between the court pay and their regular earnings due for regular working hours absent because of such court call. Time away from work for jury duty is defined as time of examination, selection, or actual service on a jury or as a subpoenaed witness.

#### **EXCEPTIONS:**

Part-time Employees: Not Applicable

Temporary Employees: Not Applicable

## CHAPTER 16

### HOLIDAYS

Regular full-time employees will receive ten (10) holidays per year. The following are declared to be the legal holidays for City employees of this status, including Library employees:

1. New Year's Day	6. Veterans Day
2. President's Day	7. Thanksgiving Day
3. Memorial Day	8. Friday after Thanksgiving
4. Independence Day	9. Christmas Eve Day
5. Labor Day	10. Christmas Day

When a holiday falls on a Sunday, Monday shall be observed as a regular holiday for City employees. When a holiday falls on a Saturday, Friday shall be observed as a regular holiday. In order for an employee to receive holiday pay, there must be no unapproved absence on a workday immediately preceding or following the holiday.

If a legal holiday is observed on a date set by the federal government other than the date set by this policy, the City shall observe the holiday on the day coincidental with the national date. The holiday will begin at 12:01 a.m. on the day of the holiday and shall end at the following midnight, except for public safety personnel. Employees who work on a holiday shall be paid at the rate of one and one-half times their regular rate of pay in addition to their holiday pay (effective rate of 2½ times regular rate). Police part-time officers and Fire substitute drivers shall be eligible for holiday pay for holidays actually worked.

#### EXCEPTIONS:

**Management/Supervisory Employees:** Management/supervisory employees who are considered exempt from overtime benefits shall not receive overtime compensation for work performed on a holiday.

**Police Officers:** Officers shall be compensated for work performed on a holiday at the rate of one and one-half times their regular rate of pay. The City has incorporated holiday pay into the regular annual salary of police officers. The holiday begins at the start of the first shift on the day of the holiday and lasts for a period of twenty-four hours.

**Fire Driver/Pump Operators:** Fire Driver/Pump Operators who work on holidays shall be compensated at the rate of one and one-half times their regular rate of pay. Because the City has incorporated holiday pay into their regular annual salaries, Fire Driver/Pump Operators no longer receive holiday pay as an extra pay item. A holiday begins at the start of the shift (7 a.m.) on which the holiday falls and lasts for the entire shift. The driver who works the preceding shift (including the seven-hour period that would otherwise occur during the "holiday") is not entitled to overtime compensation for such work.

## CHAPTER 17

### VACATIONS

Vacation with pay is a benefit accorded an employee on an annual basis for purposes of recreation and relief from the routine and pressures of assigned work. It is an earned right in the sense that the right to paid time off from work is earned by time spent at work. However, the time of taking is conditioned by length of employment and the requirements or workload of the department in which the employee works.

Every employee shall be eligible for a vacation with pay after one (1) continuous year of service with the City, although credit for past professional service in a newly hired employee's field of service may be given at the discretion of the City Administrator. Employees shall start to earn vacation allowance as of their first day of employment.

Employees will accumulate vacation according to the following:

After one year of continuous service	40 hours
After two years of continuous service	80 hours
After seven years of continuous service	120 hours
After twelve years of continuous service	160 hours
After twenty years of continuous service	200 hours

The employee's anniversary date will be used for all vacation calculations. Vacation days will not accrue in such manner so as to be used prior to the employee's anniversary date. As such, an employee earns vacation during one year to be used in the following year. Employees must reduce their vacation hours to a maximum accumulation equal to two years' vacation by the employee's anniversary date each year.

Vacation may be used as earned. Employee notification time shall be equal to the proposed vacation time to be taken by the employee. In computing vacation leave for full-time employees, the following shall be counted as time worked:

1. Time spent on vacation leave
2. Time spent on paid sick leave
3. Absences for authorized holidays
4. Absences for jury duty
5. Time spent on paid bereavement leave
6. Leaves of absence with pay

Vacation leave will not accrue to an employee during such non-work, non-pay periods as:

1. Time away from work as a result of a disciplinary suspension.
2. Time away from work as a result of a job layoff.
3. Time away from work as a result of an authorized unpaid leave of absence.

Upon return to work from an authorized leave of absence, with or without pay, an employee in good standing shall be granted all unused vacation leave earned by earlier service.



It is the intent of this policy to provide a vacation period for all regular employees for reasons as stated above. Although the City encourages employees to take vacation in weekly blocks, the department head may approve vacation of less duration, but in no case less than four (4) hours, or half work shift, at a time.

Except as provided herein, payment will not be made for vacation time not taken, except when the employee is separated from employment by reasons of resignation, retirement, termination, military leave without pay or death. Employees who earn 160 hours of vacation time per year may “sell back” to the city up to 40 hours of such time per year. Employees who earn 200 hours of vacation time per year may “sell back” to the city up to 80 hours of such time per year.

Salary employees who earn three (3) weeks of vacation time per year may “sell back” to the City up to one week of such time per year. Employees who earn four (4) weeks of vacation time per year may “sell back” to the City up to two (2) weeks of such time per year. Employees who earn five (5) weeks of vacation time per year may “sell back” to the City up to three (3) weeks of such time per year.

There will be no chaining or linking of vacation leave from one anniversary year to another without written approval of the City Administrator.

Employees shall request vacations of two days or more two weeks prior to the date of the requested vacation, and attempt to provide the most advance notice possible in all cases. Vacation will, so far as possible, be granted at times most desired by the employee so long as it does not conflict with the City's operation. However, the final right to determine the number of employees to be on vacation is reserved exclusively to the City.

Police officers will accumulate vacation based on their 12-hour shifts as follows:

After one year of continuous service	60 hours
After two years of continuous service	120 hours
After seven years of continuous service	180 hours
After twelve years of continuous service	240 hours
After twenty years of continuous service	300 hours

Police officers who earn 180 hours of vacation time per year may “sell back” to the city forty (40) hours of such time per year. Police Officers who earn 240 hours of vacation time per year may “sell back” to the city eighty (80) hours of such time per year. Police Officers who earn 300 hours of vacation time per year may “sell back” to the city one-hundred-twenty (120) hours of such time per year.

**EXCEPTIONS:**

Regular Part-time: Provisions not applicable.

Temporary: Provisions not applicable.

Police: Requirements as outlined above

Public Works Union: Requirements as outlined in union contract.

Fire Department Drivers/Pump Operators: Same provisions as provided herein, except pro-rated based on the 24-hour shift/4 day rotation schedule.

## CHAPTER 18

### BEREAVEMENT LEAVE

Employees shall be allowed time off with pay in the event of the death in the family as follows:

1. Up to three (3) days (as needed) for funeral of spouse, mother, father, brother, sister, children, mother-in-law, father-in-law; or any relative within the first degree living in the household.
2. The department head may allow an employee the necessary time off with pay to attend the funeral of members of the family not included above or of a close family friend at the department head's discretion.
3. Additional funeral leave with pay may be accorded to the employee at the discretion of the department head or City Administrator, because of extraordinary factors necessitating additional time off.
4. Leave without pay may be taken in order to attend funerals not included in the above provisions. At the discretion of the department head or City Administrator, employee may be allowed to use vacation leave or compensatory time in order to attend such funerals.

#### **EXCEPTIONS:**

Regular Part-time: Provisions not applicable.

Temporary: Provisions not applicable.

Public Works Union: Requirements as outlined in union contract.

Fire Department Drivers/Pump Operators: The department head may allow an employee the necessary time off with pay (up to one 24-hour shift) to attend the funeral of members of the family or of a close family friend. Additional funeral leave with pay may be accorded to the employee at the discretion of the City Administrator because of extraordinary factors necessitating additional time off.

## **CHAPTER 19**

### **PREGNANCY LEAVE**

An employee's pregnancy or related condition is a temporary disability. An employee who is disabled by the pregnancy shall be granted a leave of absence if the leave of absence is for the period that the employee is disabled because of the employee's pregnancy, childbirth, or related medical conditions or for eight weeks, whichever is less. The employee must provide timely notice of the period of leave requested. Before granting the leave of absence, the employer may require that the employee's disability resulting from pregnancy be verified by medical certification stating that the employee is not able to reasonably perform the duties of employment.

An employee on an approved pregnancy or childbirth leave of absence may first use accumulated sick leave and then once all sick leave is exhausted all vacation leave and compensatory time during the leave. After accumulated sick leave and vacation has been used, the balance of the employee's absence shall be without pay.

## CHAPTER 20

### FAMILY MEDICAL LEAVE

#### **Leaves Available**

It is the policy of the City to provide unpaid family and medical leave in accordance with the federal Family and Medical Leave Act (FMLA) of 1993. Whether or not a particular situation is covered by FMLA depends on whether the law's requirements have been met, not on whether an employee actually requests FMLA leave. The City will designate leave as FMLA leave if the employee is eligible for FMLA leave and if the law's other requirements are satisfied, even if the employee has not requested FMLA leave. An eligible employee will be granted up to twelve (12) work weeks of unpaid, job-protected leave each twelve-month period for any of the following qualifying reasons:

The birth of and/or need to care for your newborn child (including prenatal care by a health care provider).

1. The placement of a child with you for adoption or foster care.
2. The need to care for your spouse, child, or parent with a serious health condition.
3. A serious health condition that makes you unable to perform the functions of your job.
4. Continuing treatment by a health care provider for a chronic or long-term health condition that is incurable or which, if left untreated, would likely result in a period of incapacity of more than three (3) calendar days.

#### **Eligibility Requirements**

To be eligible for family and medical leave, you must have worked for the City for at least twelve (12) months, and for at least 1,250 hours during the twelve (12) months immediately preceding the start of the leave.

#### **General Provisions**

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

**"Parent"** does not include parents-in-law.

**"Serious health condition"** means an illness, injury, impairment, or physical or mental condition that involves: inpatient care in a hospital, hospice, or residential medical care facility; or a period of incapacity that requires absence from work for more than three consecutive calendar days AND involves either two or more treatments by a health care provider, or at least one treatment by a health care provider plus a regimen of continuing treatment; or any period of incapacity due to pregnancy or for prenatal care; chronic serious health condition; long-term conditions for which treatment may not be effective; or multiple treatments and recovery therefrom. The **"twelve-month period"** during which the leave entitlement occurs is designated as the twelve (12) months measured backward from the first date of leave.

A **"spouse"** does not include an unmarried domestic partner. If you and your spouse are both employed by the City, and are both eligible for family and medical leave, you and your spouse will be limited to a combined total of twelve (12) weeks of family and medical leave a year taken for any one or all of the following reasons: birth of a child or to care for the child after birth; placement

of a child with you for adoption of foster care, or to care for the child after placement; or to care for your parent with a serious health condition. This limitation does not apply in cases of leave to care for the serious health condition of your spouse or child, or because of your own serious health condition.

### **How and When Leave May Be Taken**

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

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

Leave for childbirth, adoption or foster care may be taken intermittently or on a reduced leave schedule only if the employee's department head agrees to the proposed intermittent or reduced leave schedule.

Leave for the birth of a child or placement of a child for adoption or foster care must be taken within twelve (12) months of the birth, adoption or placement.

### **Notice Requirements**

If you know in advance that you will be taking leave because of birth, adoption, or placement of a foster child in your home, or because of planned medical treatment for you or a covered family member, you must notify the City Administrator at least thirty (30) days in advance.

If circumstances require that the leave begin in less than 30 days, you must notify the City Administrator as soon as is practicable.

When the need for leave is foreseeable based on planned medical treatment for you or your covered family member, the City expects you to consult with your department head and to make a reasonable effort to schedule the treatment so as not to unduly disrupt City operations.

### **Medical Certification**

The City reserves the right to require written medical certification from the appropriate health care provider when leave is requested to care for a child, spouse, or parent with a serious health condition, or because of your own serious health condition. Certification will include the date of onset, the probable duration, type of treatment, and other appropriate medical facts concerning the condition. If you are seeking leave for your own health condition, the certification must also state that you are unable to perform the functions of your position. For leave to care for a family member, the certification must state that you are needed to care for the family member, and an estimate of the amount of time you will be needed. Other certification requirements apply in the case of intermittent or reduced schedule leave. If you fail to provide the certification within fifteen days of the City's request, your FMLA leave may be delayed until the certification is provided.

The City may require re-certification and periodic reports from employees during leave.

### **Use of Paid Leave**

An employee will be required to use accrued sick leave for the employee's own serious health condition under the Family Medical and Leave Act so long as paid sick leave is available. If an employee uses all of the employee's paid sick leave, the employee must then use accrued vacation leave. Unpaid leave will be granted only after paid sick leave and vacation leave have been used up. The total family and medical leave, paid or unpaid, will not exceed twelve (12) weeks during the twelve (12) month period that is applicable. The exception to this twelve (12) week limitation will be employees who have greater accumulations of paid leave which will be allowed.

An employee may request to use his or her balance of compensatory time for a FMLA reason. If the City permits the compensatory time to be used, the absence which is paid from the employee's accrued compensatory time account will not be counted against the employee's FMLA entitlement.

An employee will be required to use available family illness leave, vacation leave and compensatory leave for the serious health condition of an immediate family member of the employee under the Family and Medical Leave Act. Unpaid leave will be granted only after the paid sick leave for family illness, vacation leave, and compensatory leave have been used up. The total family and medical leave, paid or unpaid, will not exceed twelve (12) weeks during the twelve (12) month period that is applicable.

### **Rights and Benefits During Leave**

Longevity, sick leave and vacation will accrue only during periods of paid leave. The City Administrator may make an exception in writing to this section for a leave not exceeding ten work days.

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

While you are on family or medical leave, paid or unpaid, the City will maintain your group health insurance coverage at the same level and under the same conditions that coverage would have been provided had you continued working. You will be required to continue to pay your contribution to the premium on the same schedule as payments are made under COBRA.

### **Returning to Work**

At the conclusion of your FMLA leave, you will be restored to your former position, or one with equivalent pay, benefits, and conditions of employment, provided you have complied with the requirements of this policy.

The City will require that upon returning to work from leave due to your own serious health condition, you must provide certification from your health care provider that you are able to resume work and are fit for duty.

**CHAPTER 21**  
**VOTING LEAVE**

Employees required to work for all of the hours which the polls are open on an election day shall be given sufficient time off with pay to vote.

## CHAPTER 22

### MILITARY LEAVE

#### **Leaves Available**

The City will grant leaves of absence for military service to full-time and part-time regular employees in accordance with applicable state and federal law. A full-time or part-time regular employee who is a member of the uniformed services, when ordered by proper authority to serve in the uniformed services, shall be granted leave for the period of service. The first thirty calendar days of military leave each calendar year shall be without loss of pay. Any amount of military leave taken during any part of an employee's scheduled workday, regardless of the number of hours taken, shall count as one day toward the thirty calendar days without loss of pay. Absences required for military service that exceed thirty (30) calendar days shall be granted in accordance with the City policy on vacation, compensatory time, or paid leave, and with applicable state and federal law.

#### **Re-employment Rights – Eligibility**

Your eligibility for re-employment with the City after you complete military service will be determined in accordance with applicable state and federal law. Conditions for reemployment are briefly explained as follows:

1. You, or an appropriate officer of the uniformed service in which you serve must give advance written or verbal notice of your service to your immediate supervisor, unless military necessity prevents you from giving notice or if it is otherwise impossible or unreasonable;
2. The cumulative length of the absence and all previous absences from your employment with the City for reason of military service must not exceed five years;
3. Your discharge from military service must be honorable; and
4. When you return from military service you must report to work or submit a timely application for re-employment according to the following schedule:
  - a. For service of less than 30 days you must report to work by the beginning of your first regularly scheduled work day that would fall eight hours after you return home.
  - b. For service of 31 to 180 days you must apply for re-employment within 14 days after completing service.
  - c. For service of 181 days or more you must apply for re-employment no later than 90 days after completing service.

#### **Continuation of Benefits During Military Service**

Employees on leave for military service and any of their dependents entitled to coverage under the City's health insurance plan are entitled to coverage as follows:

1. An employee that leaves employment for 30 days or less is entitled to continued health insurance coverage and will not be required to pay more than what an active employee would pay for coverage.
2. An employee that leaves employment for more than 30 days is allowed to elect to receive continued coverage under the City's health insurance plan for up to 18 months following separation from employment or until the employee's re-employment rights expire whichever event occurs first. The City shall require the employee to pay up the premium.

#### **EXCEPTIONS:**

Temporary: Provisions not applicable.



## CHAPTER 23

### SICK LEAVE

**Purpose.** Sick leave with pay is provided in recognition that employees do contract various illnesses from time to time and that their financial resources may be diminished in such instances if pay is discontinued and that it may not be in the best interest or health of the employee or fellow employees for them to work while sick. Sick leave is only to be used for valid uses as described below. Employees using sick leave are expected to remain at home unless hospitalized or acting pursuant to reasonable instructions for care.

**Allowance.** Any employee contracting or incurring any non-work related sickness or disability rendering that employee unable to work shall receive sick leave with pay as set forth in this Chapter. Sick leave with pay may be taken for work-related sickness or disability incurred in connection with employment with the City provided the employee turns over to the City all workers' compensation benefits received by the employee for the period when sick leave was taken. Any employee who incurs any work-related sickness or disability while performing compensated service outside of his employment with the City shall not be entitled to use of sick leave with pay from the City.

Valid uses of sick leave as an approved paid absence:

1. Personal illness or injury
2. Family member illness or injury leave (5 days maximum/ calendar year), taken in minimum of 4-hour increments)
3. Physician appointments and medical testing
4. Dental and Optometric appointments
5. Visits to medical facility as part of rehabilitation program

**Notification.** The employee will notify his immediate supervisor as to the nature of such illness or injury and the expected duration of sick leave. The employee will maintain communication with his/her supervisor about the use of sick leave until the employee returns to work. The supervisor will inform the City Administrator's Office of these absences for recording in the employee's records.

**Accrual of Sick Leave.** Employees shall accumulate sick leave benefit at the rate of eight (8) hours per calendar month, applicable on the last day of each month. Sick leave may be accumulated to a maximum limit of two hundred forty (240) hours per employee. Sick leave days that would be lost due to the accumulation limit will be credited to a second sick leave account to a maximum limit of two hundred forty (240) hours per employee. Employees who have exhausted their basic sick leave and are not eligible for city provided disability insurance benefits may use sick leave from the second sick leave account.

Sick leave credit accumulated during the time spent on sick leave will not be available for use during the current illness, but will be counted as part of new accumulation of sick leave beginning one week after return to full-time service. It is the policy not to provide light duty work.

Upon an employee's return to work the employee shall provide his or her supervisor with a note from a physician confirming the employee's illness and ability return to work. The City retains the right to require an employee to submit to an examination by a physician designated by the City to establish fitness prior to returning to duty.

Sick leave will not be used by employees on vacation, holidays, or leave of absence. Employees will not receive compensation for unused sick leave upon resignation or termination of employment.

**Donation of Sick Leave.** Upon the City Administrator's decision to request that employees consider donating sick leave to a fellow employee, an employee may choose to donate up to eighty (80) hours of sick leave to the recipient employee. This procedure may only be authorized by the City Administrator in the case that the recipient employee has exhausted all paid leaves (sick, vacation, compensatory), but cannot work due to an illness of the employee (where disability coverage is not available) or the employee's family. The recipient employee must run all donated sick leave concurrent to any FMLA or pregnancy leave in the same manner the employee would use his or her own sick leave concurrent with FMLA and pregnancy leave. Hours shall be exchanged without regard to differing pay rates. No employee may donate more than eighty (80) hours per fiscal year. Any unused time shall revert to the donor employee's sick leave bank.

**EXCEPTIONS:**

Regular Part-time: Provisions not applicable.

Temporary: Provisions not applicable.

Public Works Union: Requirements as outlined in union contract.

Fire Department Drivers/Pump Operators: Drivers/Pump Operators shall receive sick leave benefits as set forth above, except that such leave shall be accrued and used prorated to a 24-hour shift/4 day rotation basis.

## CHAPTER 24

### LEAVE OF ABSENCE WITHOUT PAY

Employees who are temporarily incapable of performing their duties or who desire to engage in a course of study, or who, for such reason considered valid by the City Administrator, desire to secure leave from their duties may be granted a special leave of absence without pay for a period not exceeding thirty (30) days.

Requests for special leave of absence shall be submitted in writing and shall state the reasons for such request, the date when the leave is to begin and the probable date of return.

During a leave of absence without pay the employee must pay any group hospitalization and dental premiums falling due during any month the employee is not on the payroll, pay for premiums for coverage under the group life insurance policy, and shall not receive any other job benefits during the period of absence, including the accumulation of seniority during the inclusive dates of such leave.

Leave without pay shall run concurrent to any FMLA leave or pregnancy leave an employee may also be using at the same time if the employee qualifies for such leave or leaves.

An option of utilizing accumulated vacation until it expires in lieu of part or all of a leave without pay may be granted.

Failure to return from a leave of absence shall be grounds for dismissal.

A leave of absence will not be granted for the purpose of allowing the employee to enter the employment of another employer.

## CHAPTER 25

### WORKERS' COMPENSATION

Worker's compensation is part of the Iowa Code designed to provide certain benefits to employees who sustain injuries, occupational illnesses or occupational hearing loss in the course of and arising out of their employment. Benefits are administered according to Iowa law. Employees shall familiarize themselves with the Employee Safety Manual and the policies and procedures in that document. If an employee has any questions regarding the Safety Manual he or she shall direct them to his or her supervisor.

**All** accidents, injuries, illnesses, and hearing loss occurring at work or in the course of employment must be reported to the employee's department head, **even if no medical attention is required**. The supervisor and employee shall immediately telephone the Company Nurse, the accident-reporting agency for Iowa Municipal Workers' Compensation Association of which the City is a member at 1-877-740-5017 to speak with a medical professional to ensure proper treatment for the employee's medical needs. The supervisor must also complete an Incident/Injury Report Form.

All reports of injury or illness or hearing loss should be filed within twenty-four (24) hours of the injury, illness, or hearing loss. Company Nurse will handle all initial reporting of workplace injuries. Said employee shall notify the Safety Director immediately and file an injury report with the City Administrator within twenty-four hours of the injury. Any employee who is unable to return to work due to an injury shall present the Safety Director with a doctor's statement that outlines the extent of the injury, the employee's work limitations, and duration of medical leave or restricted work requirements. The City believes all involved are better served by the injured employee's quick return to work. Therefore, an injured employee may be temporarily reassigned to work that is suitable according to the restrictions and/or limitations outlined by the physician. Employees injured on the job are required to use the City-authorized treating facility. If an employee chooses to use his or her personal physician, the expense of the treatment and care shall not be covered by the City. The City will comply with all federal and state regulations regarding the Occupational Safety and Health Act.

## **CHAPTER 26**

### **INCLEMENT WEATHER**

When inclement weather prevents an employee from reporting for work, the employee shall not be paid for that absence unless he/she elects to use vacation time for it. Two weeks' notice shall not be required for vacation use due to inclement weather. The employee is expected to inform the department head of his/her inability to report for duty.

## CHAPTER 27

### INSURANCE

**Coverage.** The City makes available to employees and their dependents group health and hospitalization insurance and life insurance coverage. The City reserves the right to change or offer alternative insurance carriers, health maintenance organizations, or benefit levels or to self-insure as it deems appropriate. Employees should refer to the plan document of the City's health insurance plan to learn about the benefits of this plan.

**Health Insurance Cost.** Regular and probationary full-time employees pay three percent (3%) of a single health insurance plan, with the City paying the remainder of the premium. Full-time employees desiring dependent (i.e., family) group health and hospitalization insurance shall pay twenty five percent (25%) of the cost of the premium for such coverage. The employee's portion of insurance premiums will be deducted bi-weekly from paychecks.

**Life Insurance.** The City will provide, at no cost to the full-time employee, term life insurance coverage and accidental death & dismemberment coverage in the amount of fifty thousand dollars (\$50,000) plus \$2,000 life insurance benefit for a spouse and \$1,000 life insurance benefit for dependent children between the ages of 15 days and 19 years.

**Short and Long-Term Disability.** The City will provide, at no cost to the full-time employee, short and long-term disability coverage.

**Flexible Benefit Cafeteria Plan.** The City provides a flexible benefit cafeteria plan in conformance with Internal Revenue Code Section 125. Under this plan, employees may pay their share of health and hospitalization insurance premiums with pre-tax earnings. This plan also allows for employees to pay other types of medical and health related expenses, as well as certain childcare expenses, with pre-tax earnings. This plan will remain in effect so long as it continues to be permitted by the Internal Revenue Code.

**Terms of Insurance Policies to Govern.** The extent of coverage under the insurance policies (including HMO and self-insured plans) referred to in this Manual shall be governed by the terms and conditions set forth in said policies or plans. Any questions or disputes thereunder shall be resolved in accordance with the terms and conditions set forth in said policies or plans and shall not be subject to the complaint procedure set forth in this Manual. The failure of any insurance carrier(s) or plan administrator(s) to provide any benefit for which it has contracted or is obligated shall result in no liability to the City, nor shall such failure be considered a breach by the City of any responsibility undertaken under this chapter.

#### **EXCEPTIONS:**

Part-time Employees: Provisions not applicable.

Temporary Employees: Provisions not applicable.

## CHAPTER 28

### EDUCATIONAL BENEFITS

**Water/Wastewater Training Courses.** The City will pay for the tuition of water/wastewater training course(s) to obtain Iowa Department of Natural Resources (“DNR”) Water or Sewer Certificates for employees who are required by the City to possess such certificates. The City will allow the employee time-off with pay if such training courses are scheduled during the employee's normal workday and if scheduling and workload permit. Time spent in required water/wastewater training courses is compensable, whether it is during the employee's normal work day or not, however, employees must get permission from their supervisor prior to working any hours outside their normal workday. Employees shall be compensated for any studying for required water/wastewater training courses, however, the City has the right to limit hours spent studying and the employee shall receive prior permission for any hours spent studying. The City reserves the right to select the courses for which it will pay. However, failure to participate in training courses provided by the City will necessitate the employee making his own arrangements for schooling. This Section does not apply to an operator who has lost his certificate by failing to meet continuing education requirements.

**Continuing Education Courses (C.E.U.'s).** The City will provide tuition for continuing education courses which are approved by the City and it considers necessary for an operator to maintain his certificate. Some employees may be granted time off with pay to attend training courses if scheduling and workload permit. However, no employee is guaranteed time off and failure to receive time off does not alleviate the responsibility of each employee to maintain his certificate. Time spent in required training courses is compensable whether it is during the employee's normal work day or not, however, employees must get permission from their supervisor prior to working any hours outside their normal workday. Employees shall be compensated for any studying for required training courses, however, the City has the right to limit hours spent studying and the employee shall receive prior permission for any hours spent studying. For training classes that are not required, such training is voluntary, is not related directly to the employee's job because it is not required, and the employee shall not perform any productive work during such training. If training that is not required occurs outside of the employee's regular working hours, the employee shall not be compensated for the training. Failure to participate in training courses provided by the City will necessitate the employee making his own arrangements for schooling.

**College Tuition Reimbursement.** When a regular, full-time employee wishes to enroll in job-related credit courses at an accredited college or university, the City Administrator may grant approval for tuition reimbursement to the employee upon completion of the course or courses. Approval will normally be arranged in advance and an Educational Agreement in substantially the form attached as Appendix B of this Personnel Manual will be executed by the Employee and the City Administrator or designate. In order to receive reimbursement, the employee will provide prompt documentation of accredited college or university courses completed, including grades, as well as documentation of tuition paid for said courses.

Courses completed with a letter grade of 'A', 'B', or 'Pass', or equivalent, will be eligible for 75% tuition reimbursement up to \$150/credit hour reimbursement. Courses completed with a grade of 'C' or equivalent will be eligible for 50% tuition reimbursement up to \$100/credit hour. No reimbursement will be offered for grades below 'C' or equivalent. Total reimbursement shall not exceed \$2,000 in any calendar year.

For purposes of this policy, “job-related” will generally mean individual courses or an overall course of study with a direct application to the employee’s job or another desired position within the City of Washington organization.

**EXCEPTIONS:**

Regular Part-time: Provisions not applicable.

Temporary: Provisions not applicable.



## CHAPTER 29

### DRUG AND ALCOHOL ABUSE -- TESTING PROCEDURES --

The City is committed to ensuring that its employees work in a safe, drug-free environment. It is well recognized that individuals who use illicit drugs or use alcohol are more likely to have workplace accidents and perform their work in an inefficient and substandard manner.

To effectuate this commitment, the City has determined that it must take the necessary steps to ensure that City employees are free from the influence of drugs and/or alcohol while performing their duties. The City has developed the following Drug and Alcohol Testing Policy, which covers all City employees not otherwise affected by state or federal drug testing laws. This policy is applicable to all applicants for city positions and all city employees at any time they are actually performing, preparing to perform, or immediately available to perform any paid function as designated by the City.

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

#### **DEFINITIONS:**

**Safety Sensitive Employee:** A safety sensitive employee is an employee working in a position wherein an accident or an error could cause the loss of human life, serious bodily injury, or significant property or environmental damage, including a position with duties that include immediate supervision of a person in a job that meet the requirements of this paragraph. However, the City reserves the right to add or remove positions from its list of safety sensitive positions at any time. This includes part-time safety sensitive employees.

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

1. Observations while at work, such as direct observation of alcohol or drug use or abuse, or physical symptoms or manifestations of being impaired due to alcohol or drug use as described in the educational materials provided to employees.
2. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
3. A credible source's report of alcohol use or the use of drugs. The City Administrator will have the final determination of who is a credible source.
4. Evidence that an individual has tampered with any drug or alcohol test during the individual's employment with the City.

5. Evidence that an employee has caused an accident while at work which resulted in property damage or personal injury, if suffered by an employee, a record or report could be required under Chapter 88 of the Iowa Code, or an accident that resulted in damage to property, including equipment, an Incident/Injury Report Form must be filed with the Safety Director.
6. Evidence that an employee has manufactured, sold, distributed/solicited, possessed, used or transferred drugs while on the employer's premises or while operating the employer's vehicle, machinery, or equipment.
7. The employee's statement or admissions of drug use while he or she is a City employee.

**Positive Test:** An employee tests positive for drugs if any trace of an illegal substance is detected following a drug test. An employee tests positive for alcohol if he or she has a blood alcohol concentration equal to 0.04 or greater.

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

**City Official:** Elected officers of the City including the Mayor and City Council members.

#### **POLICY STATEMENT/PROCEDURES:**

##### **Prohibited Activity:**

1. No employee shall illegally use, sell, transfer, purchase, or possess drugs, alcohol, controlled substances, or drug paraphernalia, or any combination thereof while in a City facility, vehicle, vessel, or aircraft or while performing City business, including business conducted in the employee's own home.
2. No employee shall report for work while under the influence of illegal drugs or alcohol. Furthermore, no employee shall report to work within four (4) hours of consuming alcohol even if the employee does not believe he or she is under the influence of alcohol during that time.
3. No employee shall use illegal drugs or consume alcohol while at work.
4. No employee shall use prescription drugs unless: (1) a doctor has prescribed the medication to the employee; and (2) the doctor has advised the employee that the drug will not adversely affect the employee's ability to perform the essential duties of his or her job without endangering the public's, coworkers', or the employee's safety.
  - a. Any employee using properly prescribed drugs that may impair the employee or affect the employee's job performance shall notify his or her immediate supervisor about the use of the drug. A drug may impair an employee or affect an employee's job performance if it may cause the employee dizziness or drowsiness or the employee or the employee's doctor believe the drug will impair the employee or affect the employee's job performance in some way.
  - b. If an employee is using a prescription drug and his or her doctor has advised him or her that the drug may adversely affect the employee's ability to perform the essential duties of his or her job, the employee shall advise his or her supervisor of the adverse effects and the prescribed period of use.
  - c. Supervisors shall document this information through the use of an internal memorandum and maintain this memorandum in the medical file of the

employee maintained by City Administrator. See subsection G for information regarding the storage of drug test results and other medical information.

- d. Any employee using properly prescribed prescription drugs must carry the medication in its original container and the container must be labeled with the employee's name, employee's doctor, dosage, and the name of the drug prescribed.
5. Any employee who unintentionally ingests or is made to ingest a controlled substance shall immediately report the incident to his or her supervisor so that appropriate medical steps may be taken to ensure the employee's health and safety.

**Notification:**

1. The City will notify applicants of this drug and alcohol testing policy at the time of his or her first interview.
2. The City will provide all employees with drug and alcohol education, including the effects of drugs and alcohol, signs and symptoms of drug and alcohol use, assistance available for those abusing drugs and alcohol, drugs and alcohol to be tested, and drug and alcohol testing requirements.
3. All drug testing results and other confidential information will be kept confidential.
4. Each employee and applicant will sign a form acknowledging receipt of these materials.

**Employee Drug Testing:**

1. Post-Accident Testing: After an accident, testing will be conducted on employees whose performance could have contributed to the accident. if (1) it is required by state or federal law; or (2) reasonable suspicion exists.
  - a. Waiving of post-accident testing must have approval from the City Administrator or Finance Director.

**Drug Testing Procedures:**

1. Drug and alcohol testing shall require the employee to present a reliable form of photo identification to the person collecting the sample.
2. Drug testing will be conducted at a location designated by a supervisor or the City Administrator.
3. The City will designate the type of testing to be performed on the sample collected.
4. Drug and alcohol testing shall normally occur during or immediately before working hours begin or immediately after working hours. The time required for such testing shall be considered work time for the purpose of compensation and benefits.
5. A specimen testing positive will undergo an additional test to confirm the initial result.
6. The drug screening tests selected shall be capable of identifying every major drug likely to be abused including, but not limited to, marijuana, cocaine, heroin, amphetamine, and barbiturates. Personnel utilized for testing will be certified as qualified to collect urine samples or adequately trained in the collection process.
7. Any employee who breaches the confidentiality of testing information shall be subject to discipline.
8. The City shall pay all testing costs for pre-employment, reasonable suspicion, regularly scheduled, or follow-up drug or alcohol testing ordered by the City.
9. In conducting drug or alcohol testing pursuant to this policy, the laboratory, the Medical Review Officer, and the City shall ensure, to the extent feasible, that the testing records maintained by the City show only such information required to confirm or rule out the presence of prohibited alcohol or drugs in the body.

**Post-Testing Procedures:**

1. Employees having negative drug test results shall receive a memorandum stating that no illegal drugs were found. The employee may request a copy of the memorandum be placed in the employee's medical file.
2. An employee who has a positive drug or alcohol test, either from random testing or reasonable suspicion testing, shall be subject to disciplinary action up to and including discharge.
3. If the employee is permitted to return to work, the employee may be required to submit to evaluation by a Substance Abuse Professional and undergo treatment recommended by the Substance Abuse Professional prior to returning to work. If the employee successfully completes the treatment, no further disciplinary action will be taken against the employee. If the employee refuses to submit to the evaluation or fails to successfully complete treatment, the employee will be subject to further discipline up to and including discharge.
4. If the Substance Abuse Professional determines that the employee has a drug or alcohol related problem the employee will be required to do follow-up testing upon the employee's return to work. All follow-up testing will be unannounced and without prior notice to the employee and will be at the employee's expense.

**Drug Test Results:**

1. All records pertaining to required drug tests shall remain confidential and shall not be disclosed without the written permission of the person whose records are sought. The City Administrator shall have access to the records for purposes of employment decisions. Computerized record keeping shall comply with this provision of the policy.
2. Drug test results and records shall be stored and securely retained for an indefinite period in an employee medical file maintained by the City Administrator.

**Responsibility:**

1. It shall be the responsibility of the City Administrator to enforce this policy. Employees are expected to report any suspicious behavior or suspected drug abuse of an employee.
2. It is the responsibility of each employee to abide by the procedures as outlined. Any employee refusing to submit to a drug test request made under this policy will be subject to discipline up to and including discharge.

**SPECIAL REQUIREMENTS FOR EMPLOYEES POSSESSING COMMERCIAL DRIVERS' LICENSES.** If the test of an employee who is subject to the requirements of federal DOT drug and alcohol testing results in an MRO verified positive test for the use of drugs or an alcohol concentration of 0.04 or greater, the employee will be referred to an appropriate substance abuse professional for assessment and enrollment in a treatment and rehabilitation program, if recommended. Results of the positive drug or alcohol test and terms of the rehabilitation will remain confidential, except as provided by the Federal Regulations. Confirmation of a verified positive test for an alcohol concentration of 0.04 or greater may result in immediate termination. Confirmation of a verified positive test for the use of drugs or an alcohol concentration of 0.10 or greater will result in immediate termination.

Employees referred to the treatment and rehabilitation program as a result of an MRO verified positive test or breath testing showing an alcohol concentration above 0.04 must immediately cease any substance abuse, must be subject to testing before returning to safety sensitive duty, must

subject themselves to periodic unannounced testing for a period not to exceed sixty months, and must comply with all other conditions of the treatment and counseling program recommended by the substance abuse professional.

None of the expenses of the substance abuse treatment and rehabilitation program shall be paid for by the City. An employee required to take time off in order to participate in a rehabilitation program will be permitted to use sick leave, vacation time, and/or unpaid leave, if employee has not been terminated.

If an employee is undergoing substance abuse treatment and counseling or has returned to duty upon successfully completing such treatment and rehabilitation and a subsequent test is verified by the MRO as positive, or results in an alcohol concentration of 0.04 or greater, the employee will be terminated.

Employees who undergo substance abuse treatment and counseling under this policy and who continue to work must meet all established standards of conduct and job performance.

This policy shall be supplemented by the City of Washington Substance Abuse Prevention Program for drugs and alcohol as administered by ADMED, Ltd., and shall meet all requirements of administration procedures of the Department of Transportation (DOT) substance abuse prevention program pursuant to the Commercial Driver's License Regulations, Code of Federal Regulations, Title 49(49 CFR), Part 382.

**CHAPTER 30**  
**LONGEVITY PAY**

Employees shall, in addition to their regular compensation, be paid longevity pay for each two-year increment of continuous City employment in an eligible employment status, according to the following schedule:

<b>Years of Service</b>	<b>3</b>	<b>5</b>	<b>7</b>	<b>9</b>	<b>12</b>	<b>15</b>	<b>18</b>	<b>21</b>	<b>25</b>	<b>30+</b>
<b>\$ Per Year</b>	\$250	\$500	\$750	\$1,000	\$1,250	\$1,500	\$1,750	\$2,000	\$2,500	\$3,000

Longevity Pay will be payable each year on the payroll following the employee's anniversary date. Effective July 1, 2024.

**EXCEPTIONS:**

Regular Part-time: Provisions not applicable.

Temporary: Provisions not applicable.

## CHAPTER 31

### RETIREMENT BENEFITS

All employees, with the exception of college students, high school students, and vocation rehab workers, are eligible for the IPERS plan. Temporary employees who have been paid wages of \$1000.00 or more in two consecutive quarters or have been employed at least 1,040 hours in a calendar year will be eligible. Detailed information regarding the IPERS plan will be available to employees as they become eligible to enroll.

Employees may choose to participate in the ICMA-RC 457 deferred compensation program. This program allows employees to have a portion of their salary deducted before taxes and invested, much like a 401(k) program.

An employee who retires from regular full-time employment with the City and will be receiving a City-sponsored pension will be provided a one-time opportunity at the time of retirement to opt for extended COBRA health insurance coverage for employee and/or spouse under the City's available medical plan(s). The retiree is responsible for 100% of the required premium on a monthly basis, plus administrative charges that may be assessed, unless otherwise amended by action of the Council. Said premium shall be paid in advance of the first of each month for the following month's coverage. Retiree health insurance coverage may remain in effect until the first of the month of the retiree's 65<sup>th</sup> birthday, at which time coverage shall end for the retiree. A covered retiree's spouse may continue coverage until the first of the month of the spouse's 65<sup>th</sup> birthday, but not to exceed a total of ten (10) years of extended coverage, at which time all remaining health coverage shall end.

## CHAPTER 32

### PERFORMANCE EVALUATIONS

It is the policy of the City of Washington to assure that city revenues are appropriately spent on wages by periodically evaluating the job performance of each employee. The City desires to compensate its employees on the basis of external comparability (*salaries based on market conditions given an individual's skill set and the respective job position*), internal comparability (*equity comparison among similar positions within the city organization*) and meritorious performance. As such, performance evaluations are a critical component in establishing the wages for city employees.

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Additionally, the job performance of each employee shall be formally evaluated by his/her immediate supervisor on a regular basis, usually once per year. Probationary employees shall be evaluated midway during the probationary period and again at the end of the probationary period. The department head may solicit input from the employee's direct supervisor(s) and peers for the evaluation.

The evaluation may be conducted privately between the employee and the immediate supervisor at a time and place designated by the immediate supervisor. Each employee shall receive a written copy of the results of the evaluation. The form of the evaluation shall be approved by the City Administrator. The employee will be asked to sign the evaluation to indicate that he/she has discussed it with his/her immediate supervisor.

A portion of the evaluation shall consist of designating areas where improvement is needed. At the time of the next evaluation, the evaluator shall note whether improvement has been achieved in those areas. The evaluation shall become a part of the employee's personnel file. The results of the evaluation shall be used, in part, in establishing an employee's wage rate.

#### **EXCEPTIONS:**

Regular Part-time: Provisions not applicable.

Temporary: Provisions not applicable.



## CHAPTER 33

### COMPLAINT PROCEDURE

When a dispute arises among employees, an honest effort should be made to settle the dispute informally so that City business can continue in an efficient manner. If an informal settlement cannot be reached, employees may file a complaint under the following procedure:

Step One. The complaint shall be in writing and signed by the employee and presented to the employee's department head within seven (7) calendar days from the date on which the act or condition on which the complaint is based first became known to the employee. The supervisor shall give an answer in writing to the employee within seven (7) calendar days from receipt of the written complaint.

Step Two. If the employee is unsatisfied with the response given by his/her department head, he/she may present the complaint, along with the response, to the City Administrator within seven (7) calendar days of receipt of the response. The City Administrator shall give an answer in writing to the employee within seven (7) calendar days after receipt of the complaint. The City Administrator's decision shall be final. If the complaint is about the City Administrator, the employee shall file it directly with the Mayor who will render the final decision.

## CHAPTER 34

### LAYOFF AND RECALL

It is the policy of the City of Washington that in the event the City determines that a reduction in the work force is necessary, employees shall be laid off according to current staffing priorities. Whenever the public interest may require a reduction of employees in any classification or grade due to curtailment of available work or lack of funds, the City may either:

1. Abolish the office and remove the employee from his/her classification; or
2. Reduce the number of employees in any classification by suspending and/or laying off the necessary number.

When it becomes feasible for the City to hire an employee in a position where a layoff has occurred within the previous twelve months, the position may first be offered to the employee who was laid off, however it is not guaranteed to the employee. If more than one layoff occurred in the previous twelve months in a position, employees may be hired back. All rehires shall be according to current staffing priorities. Employees who are laid off shall keep the City informed of their current addresses and phone numbers so that they may remain eligible for recall. Recall is not applicable to employees who have not completed probation prior to layoff.

Employees who have been laid off do not receive nor accrue benefits.

#### **EXCEPTIONS:**

Regular Part-time: Provisions not applicable.

Temporary: Provisions not applicable.

Public Works Union: Requirements as outlined in union contract.

## CHAPTER 35

### WORK RULES

In order to maintain a safe, efficient, and harmonious organization, disciplinary action for the rules and regulations listed below have been established for City employees. Each of the rules and regulations is based on a sound background of common sense and on experience. These rules are not exclusive and discipline may be taken in other instances of misconduct. The conduct outlined below is provided to describe examples to employees of the conduct which shall be punishable and these rules are subject to future modification as dictated by changing conditions. Each case shall be considered on its own merits with due consideration to the nature of the offense, the cause, the background, likelihood of repetition, and the attitude of the offender. The City reserves the right, in its discretion, to base discipline on any violation of this policy or on conduct not outlined below. In addition to the work rules listed, employees are expected to comply with department policy manuals approved by the City Council.

All City employees are expected to cooperate in observing these rules and regulations that are designed for our common protection and benefit.

- Violating the City's policy against workplace harassment (including sexual harassment), discrimination and/or retaliation.
- Dishonesty and/or lying, including falsification of city or employment records.
- Willful destruction, deliberate misuse or intentional neglect of city property.
- Unauthorized use of city property, including engaging in excessive, unnecessary, or unauthorized use of City property or supplies.
- Unauthorized possession of weapons, knives, firearms or explosives while on duty or on City property.
- Substandard work performance (i.e., inefficiency, misuse of company time, incompetence, negligence).
- Unexcused absences or tardiness.
- Making false statements/lying, including making untruthful or malicious statements about fellow employees.
- Insubordination, including failing to perform duties or carryout assignments or instructions.
- Failure to observe safety, smoking, or security rules.
- Fighting with another person on duty (including verbal fighting) or physically assaulting another individual while on duty.
- Consumption (or under the influence of) of alcohol on duty or on City premises.
- Unauthorized disclosure or use of confidential City information, including employee, patient or other information.
- Unauthorized time away from workstation, including extending lunch or break times.
- Sleeping, or giving the appearance of sleep, on the job during working hours (except for 24-hour shift personnel).
- Refusal or failure to answer questions in an internal investigation.
- Refusal to work without good reason when called in for emergency situations.
- Use of abusive, obscene or threatening language.
- Conduct which disrupts work activities.
- Neglect of duty, disobedience or misconduct.

- Consuming, having unauthorized possession of, or being under the influence of intoxicants, narcotics, controlled substances, or other non-medically prescribed drugs during the work day, including lunch or break periods, on or off City premises.
- Threatening, coercing, or intimidating fellow employees or others.
- Illegally manufacturing, possessing, using, selling, distributing, or transporting drugs.
- Stealing, willfully destroying or unauthorized use or alteration of property of coworkers, customers, clients, or the City.
- Unauthorized copying of City records.
- Violation of any of the requirements of this Personnel Manual.

## CHAPTER 36

### DISCIPLINE

The City is committed to a policy of progressive discipline. The goals of progressive discipline are to correct behavior and produce efficient City operations. It is the policy of the City to follow a system of progressive disciplinary action as outlined below. However, a violation of a serious nature may be cause for stronger disciplinary action or immediate discharge, in the City's discretion. Situations that the City believes will respond to corrective discipline will normally be handled as follows:

- Oral reprimand or warning
- Written reprimand or warning
- Suspension with loss of pay
- Discharge.

The City reserves the right to use whatever discipline it decides is appropriate in any situation, up to and including discharge, without regard to the progressive discipline guidelines explained above.

**CHAPTER 37**  
**INTERIM DUTIES**

This policy is intended to establish guidelines for performance and compensation of interim duties in the event of a vacancy in a department head position.

When a department head position, including the offices of City Administrator or City Clerk, is vacated for a period exceeding one month, it is the City's policy that an employee or employees may be designated to assume the job duties of the position on an interim basis. Whenever possible, this assignment will be done in advance by the City Administrator and/or Mayor in writing, including expectation of duties to be performed and rate to be paid for those increased duties.

Employees assuming extra duties may be compensated in the following way:

- 1) If a single employee is appointed as the interim department head, they may be compensated at the lowest rate for that classification for the duration of the interim appointment, or a minimum pay increase of \$1.00 per hour.
- 2) If multiple employees are to split the duties of the department head each may be compensated at a rate of up to \$1.00 per hour for the duration of the interim appointment, but in no case will the total gross payments equate to more than 25% of the gross wage that would have been paid to the department head departing the position.

Interim pay shall cease as of the end of the day previous to the start date of the permanent department head.

## CHAPTER 38

### INFORMATION TECHNOLOGY

Information technology is defined as computers, computer files, networks, internet access, and software furnished to employees that are City property and intended for business use. Information technology may only be used for City business. However, employees may use the City's information technology for personal purposes, such as e-mail or internet surfing, only if it is of reasonable duration and frequency; does not interfere with the performance of the City's business; is not related to political or religious uses; does not cost the City additional expenses; is not related to any illegal, discriminatory or harassing behavior or business; would not cause the City public embarrassment and does not compromise City security or confidential information. The City reserves the right, in its sole discretion, to define what is a reasonable or permissible personal use.

The City reserves the right, in its sole discretion, to block access to offensive, malicious, and non-business web content or websites. The content of all communications created or disseminated through the use of any City information technology is the property of the City and shall comply with all policies. Employees should not access files or retrieve any stored information or communications without authorization. Employees should access those files only as necessary for the performance of their duties. Employees using the City's information technology shall not attempt to exceed the access rights granted by the City.

E-mail and other means of electronic communications are business tools to permit rapid and efficient communications with a large audience. This City system is a business system and not a personal communications network or bulletin board. Users of these tools should apply good judgment and common sense. All electronic communication should be conducted as if it were done in a public meeting following the rules of ethical conduct and non-discriminatory behavior.

Employees will be expected to take full responsibility for their electronic communications. All communications shall be made with the acknowledgment that there is minimal control over what the recipient does with it. In some situations, electronic communications have been used in legal proceedings. Excessive messages with little information for the entire staff slow down productivity and clog the system. Any questions about whether one may circulate certain information to all employees shall be directed to the City Administrator before proceeding.

Employees may not print; display, download, or send any sexually explicit or offensive messages, cartoons, jokes, drawings, photographs, animations, or like material. If employees receive such items from another person, they are to immediately advise the sender that they are not permitted to receive such information or items and that the sender is not to send such again. If the employee needs assistance in responding to such situations, the employee may contact the City Administrator.

The installation of personal software onto City-owned information technology is prohibited without prior permission from the City Administrator. The copying of purchased or leased software, unless authorized by the software vendor, is prohibited. Additionally, sharing user identification and/or passwords for any City information technology is prohibited, unless directed by the City Administrator for legitimate business reasons. Employees shall change their user passwords every one hundred eighty (180) days or as directed by the City Administrator.

By opening e-mail, sending or receiving information, using the voicemail system, logging onto the Internet or by using any of the City's information technology, employees agree and understand that this technology has been provided by the City at its own expense and that it is the City's property. It is another tool for employee use in business transactions or business communication.

All communications over and activity conducted on the City-owned systems are the property of the City. Employees shall have no expectation of privacy when using City-owned systems, even to information technology where the employee has a personalized username and/or password. Department heads and the City Administrator may review, audit, or download messages that employees send or receive, and may monitor employee Internet access. Additionally, all messages and data sent over City information technology may be subject to public open records requests or subpoenas.

Employees also may not interfere with or disrupt any City network or Internet users, services, programs or equipment. Disruptions include, but are not limited to, propagation of computer worms, viruses, or other debilitating programs and using the City network to make unauthorized entry to any other machines accessible via the network or Internet. Deliberate attempts to degrade or disrupt system performance will be viewed as criminal activity under applicable state and federal law.

Use of the City's Internet facilities includes use of the City's domain name and as a result reflects upon the City's image. The City's reputation is a valuable asset. Illegal, unethical, or inappropriate behavior will not be tolerated and the employee(s) will be subject to discipline or termination.

Employees shall not disseminate or print copyrighted materials (including articles and software) in violation of copyright laws. Employees shall not send, receive, print, or otherwise disseminate proprietary data or other confidential information, including any information of the City in violation of policy or proprietary agreements. Employees are not permitted to operate a business, usurp business opportunities, or solicit money for personal gain, or political lobbying activities. Employees shall not send chain letters, gamble, or engage in any other activity in violation of local, state, or federal law.



## **CHAPTER 39**

### **CELLULAR PHONES**

Where job or business needs demand immediate access to an employee, the City of Washington may issue a business cellular phone to an employee for work related communication. The City will pre-select the model and make of City owned equipment that will be available for employee use. City-owned cellular telephones cannot be used at any time in violation of state or federal laws nor in violation of any departmental work rules. In addition, City owned cellular telephones shall not be used for the purpose of creating personal financial gain. The City Administrator will identify whether an employee is required to be furnished a City owned cellular telephone. City owned cellular telephone service will only be approved through City authorized companies. Other contracts will be terminated as appropriate and switched to an approved provider.

Use of City-owned cellular phones for a reasonable amount of personal use is permitted. The City Finance Director is responsible to review telephone bills of employees assigned a City-owned cellular telephone to assure compliance with this directive. When an employee leaves the department or terminates employment, the City Finance Director is responsible to recover the City-owned cellular telephone.

Employees have no expectation of privacy when using City-owned cell phones. The City may access the phone, any application on the phone, or any other data on the phone at any time. Any data or applications or any other information on the employee's phone may be open records subject to Chapter 22 of the Iowa Code and available to the public for inspection.

Employees shall not use a City-owned cell phone while driving a motor vehicle unless the employee is using the phone with hands-free equipment. Employees shall pull over to use their phones, including texting or calling.

In lieu of a City-issued cellular phone and upon approval of the City Administrator, eligible employees may opt for a cellular phone allowance for City business usage of their personal cellular phone. The amount of such reimbursement shall be determined on a case-by-case basis by the City Administrator, but should in no case exceed the City's cost of providing a cellular phone under the City plan. All above policies including those regarding distracted driving and privacy apply when the City provides a cell phone allowance in lieu of an actual cell phone.

## **CHAPTER 40 SOCIAL MEDIA POLICY**

### **DEFINITIONS:**

- Posting: any writing, image, video, download, audio file, and hyperlink to other websites, or media which is downloaded, referenced, inserted, or placed upon any City social media site.
- Social media or site: includes, but is not limited to, electronic communication through which users create online communities to share information, ideas, personal messages, photographs, videos, and other content. Examples of the types of social networking sites covered by this policy include, but are not limited to: blogs, LinkedIn, Facebook, Google+, Twitter, YouTube, Instagram, Pinterest, Snapchat, YikYak, photo and video sharing sites, micro-blogging, podcasts, wikis, news sites, as well as viewable comments posted on Internet sites. This policy is not meant to address only certain forms of social media, but rather social media in general as advances in technology will occur and new tools will emerge that are also expected to be used in accordance with this policy.

All City employees are expected to use City computers, tablets, mobile phones, computer applications and programs, internet resources and network communications in a responsible, professional, ethical, and lawful manner always. This includes use of all social media utilizing these devices. Employees should be aware that all content, including social media, on these devices is not private and the employer could access any information saved to, accessed by, created on, transmitted on, downloaded to, exchanged over, or discussed on these devices, including social media, at any time. Consequently, employees have no reasonable expectation of privacy when engaging in these activities and employees should use common sense in all communications, particularly on a website or social networking site accessible to anyone.

In addition, employees are expected to follow all other City policies with regard to their use of social media. Any employee who violates this policy may be subject to disciplinary action up to and including termination.

### **PROCEDURES:**

The procedures for using Social Media are presented in two categories: (1) City sponsored sites used to provide citizens with official, accurate, and unbiased information, and (2) procedures governing employees' conduct while on social media sites.

#### **1. City-Sponsored Sites:**

- A. The City's social media are limited public forums. The sites are not an editorial page or blog for visitors and they are subject to the commenting restrictions listed below in this policy. The City does not intend by its social media sites to create or allow the creation of an unlimited public forum for the public to post comments of any kind.
- B. The establishment and use by any City department of City social media sites are subject to approval by the City Administrator. At the time such site is approved, the City Administrator must determine who will be responsible for developing this site including establishing an administrative profile, designating who will have authority for speaking on behalf of the City, and who will keep the site up to date, including answering questions in a timely manner.
- C. City social media accounts will only become affiliated with (i.e., "like," "follow," etc.) another social media page if it is related to official City business, services, and events.

- The City Administrator shall have the final determination if another social media page is related to official City business, services, and events.
- D. Wherever possible, City social media sites should link back to the official City website for forms, documents, online services, and other information necessary to conduct business with the City.
  - E. The City Administrator or his/her designee will monitor the City's social media accounts to ensure that the social media sites further the City's policies, interests, and goals.

Comments containing any of the following inappropriate forms of content will not be allowed on the City's social media sites and are subject to removal by the City:

- a. Comments unrelated to the original topic;
  - b. Comments that are obscene, vulgar, or profane;
  - c. Content that promotes, fosters or perpetuates discrimination of any protected class under local, state, or federal law (see Section J – 2);
  - d. Defamatory or personal attacks;
  - e. Threats to any person or organization;
  - f. Comments in support of, or in opposition to, any political campaigns or ballot measures;
  - g. Solicitation of commerce, including but not limited to advertising of any business or product for sale;
  - h. Conduct in violation of any federal, state or local law;
  - i. Encouragement of illegal activity;
  - j. Information that may tend to compromise the safety or security of the public or public systems; or
  - k. Content that violates a legal ownership interest, such as a copyright.
  - l. Comments that are threatening in nature will be forwarded as appropriate to law enforcement.
- F. The City reserves the right to restrict or remove any content that is deemed in violation of City policy, including this policy, or applicable law. Any content removed based on these guidelines must be retained by the City Clerk or his/her designee for a minimum of 90 days, including the time, date, and identity of the poster, when available.
  - G. Comments posted by the public on the City's social media site express the opinions of the commentators or posters. Such comments do not necessarily reflect the opinions or policies of the City, and the publication of such comments does not imply endorsement or agreement by the City.
  - H. The City is not responsible for and has no control over the accuracy, subject matter, content, information or graphics when viewing links attached to its social media sites. The City also does not endorse any organizations sponsoring linked websites or the views or products they offer.
  - I. The City is not liable for the content of postings by individuals employed by the City or third parties not affiliated with the City on any City social media sites.
  - J. The City reserves the right to deny access to its social media site for any individual who violates the City's policies or the law, at any time and without prior notice. The City reserves the right to restrict or remove any content that is deemed in violation of this policy or any applicable local, state or federal law.
  - K. The City's website at <http://www.washingtoniowa.gov> will remain the City's primary and predominant Internet presence.
  - L. Employees representing the City via social media accounts must conduct themselves at all times as representatives of the City and must identify themselves as representatives of the City when doing so. Employees that fail to identify themselves

and/or conduct themselves in an appropriate manner shall be subject to discipline up to and including dismissal.

2. Employees' Personal Use of Social Media:

- A. Employees should limit their use of social media during working hours or on equipment provided by the City unless such use is work-related or authorized by their department head. Employees shall not use City-provided e-mail addresses to register on social networks, blogs or other websites for personal use. Employees should note that this provision is not meant to prohibit employees from engaging in concerted protected activity where prohibited by law.
- B. Employees may not, unless expressly authorized in writing, make statements on behalf of the City on the employee's social media accounts. If an employee wishes to make a work-related statement on his/her social media, the employee should consider including a disclaimer indicating that the opinions are the employee's personal opinions, not the opinion of the City.
- C. Employees shall not use City-provided email accounts to sign up for or access social media unless expressly authorized to do so by the employee's department head.
- D. Employees shall have no expectation of privacy if they access their social media using City e-mail, City networks, City servers, City devices, and/or any other City resources when accessing social media.
- E. Employees shall not post, transmit, or otherwise disseminate any information to which they have access as a result of their employment with the City unless expressly authorized. In addition, employees are expected to respect the privacy of their co-workers and citizens and must take steps to protect the privacy and confidentiality of others.
- F. Employees are not to use the City's intellectual property such as trademarks, logos, letterhead, *etc.* when posting on social media or in any other actions, unless expressly authorized in writing. This includes posting pictures of yourself or others wearing City uniforms or other apparel bearing the City's name or logo.
- G. Employees are not allowed to use photographs or other depictions related to City business, including as discussed in the paragraph above, unless expressly authorized in writing. This includes, but is not limited to posting, transmitting, and/or disseminating any photographs or videos of City training, activities, or work-related assignments.
- H. Employees shall not post material that is abusive, obscene, libelous, threatening, profane or otherwise inappropriate about the City, its employees, or citizens.
- I. Employees shall not post material that may be construed to be discriminatory, harassing, or retaliatory under local, state, or federal law about the City, its employees, or citizens.
- J. Nothing in this policy is intended to infringe upon any employee's legitimate First Amendment rights and employees are free to express themselves as private citizens on social media sites. The intent of this policy is to prevent employees from engaging in unlawful speech, improperly impairing the working relationships of this City, impeding the performance of City duties and/or negatively affecting the public perception of the City. As public employees, employees are cautioned that speech made pursuant to an employee's official duties is not protected speech under the First Amendment and may form the basis for discipline.

The City's social media sites may be considered public records under Iowa Public Records laws. If requested, the City may be compelled to disclose public records to third party requestors. The City in its sole discretion shall determine whether postings on its social media websites are public records and whether exemptions from disclosure apply.

## APPENDIX A

### EMPLOYEE ACKNOWLEDGMENT OF RECEIPT OF MANUAL

This Personnel Manual describes important information about employment with the City of Washington ("City"). It has been prepared to make me aware of what I can expect in the way of privileges and benefits; and what the City will expect of me in terms of behavior and performance during my employment.

Since departments vary in their duties and responsibilities, not all policies and regulations can be covered in this Manual. I understand that I may direct inquiries for additional information to my supervisor or the City Administrator.

The use of masculine or feminine gender in references or titles shall be considered to include both genders and is not a sex limitation.

No policies in this Manual shall supersede any provisions of state or federal law. The policies in this Manual are intended to apply to all City employees.

Since the information, policies, and benefits described herein are necessarily subject to change, I acknowledge that revisions may occur; and that such changes will be communicated to me through official notices. Only the City Council can adopt any revisions to the policies in this Manual.

By signing below, I provide full authority for the City to withhold the amounts identified above in Chapters 1 and 40 from my final paycheck. By signing below, I acknowledge the parties intend this to serve as a valid authorization for withholding from a final paycheck under Iowa Code Section 91A.5, as amended from time to time.

I have entered into employment with the City voluntarily and acknowledge there is no specified length of employment. Iowa law allows me, or the City, to terminate the employment relationship "at will" at any time. Furthermore, I acknowledge this Manual is neither a contract of employment nor a legal document. I have received the Manual and I understand it is my responsibility to read and comply with the policies contained in this Manual and any revisions made to it.

\_\_\_\_\_  
Employee's Name (Printed)

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date



**City of Washington**  
215 East Washington Street  
Washington, Iowa 52353  
(319) 653-6584 Phone  
(319) 653-5273 Fax

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### **Educational Agreement**

The City of Washington, Iowa, hereinafter "Employer" and \_\_\_\_\_  
(Employee's name), hereinafter "Employee", enter this agreement for educational  
reimbursement for mutual benefit.

Whereas, the Employee has entered a course of study at an accredited college or university;  
and

Whereas, the Employer has determined that said course of study meets the requirements  
of "job-related" as defined in Resolution 2013-067 of the City of Washington, Iowa:

NOW THEREFORE, Employer and Employee enter into the following agreement:

- 1) Employee will provide prompt documentation of accredited college or university  
classes completed, including grades, and payments made.
- 2) Employer will provide reimbursement of 75% of tuition up to \$150/credit hour for  
courses completed with a grade of 'A' or 'B' or equivalent, or up to 50% up to  
\$100/credit hour for courses completed with a grade of 'C' or equivalent. Pass/Fail  
courses shall be eligible for 75% reimbursement if passed. Total reimbursement  
shall not exceed \$2,000 in any calendar year.

As agreed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

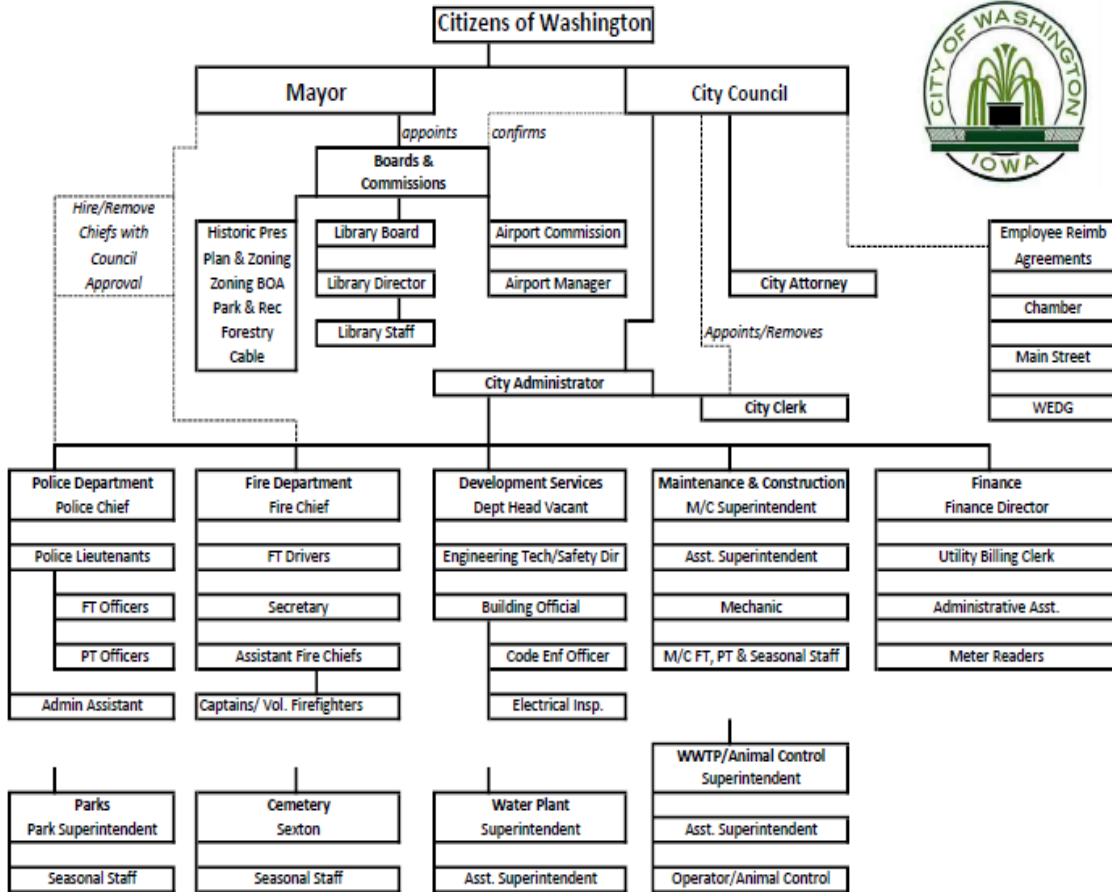
**Employer**

**Employee**

\_\_\_\_\_  
Brent Hinson, City Administrator

# APPENDIX C

## City of Washington Organizational Chart



Updated July 2017