

# **City of Greenfield Policy and Procedure Manual**

---

## Mission Statement

Our mission is to provide quality service on a consistent basis with economy and efficiency in mind.

## History

Hancock County was created on March 1, 1828, and named for John Hancock, the first signer of the Declaration of Independence. The town of Greenfield was chosen as the county seat on April 11, 1828. The Commissioners announced, "The seat of Justice of Hancock County shall be known and designated by the name and title of Greenfield." The population of the county at that time was 400.

In 1833, the Indiana Gazetteer published, "Greenfield is surrounded by a body of rich, fertile land and is in a very prosperous and flourishing state of improvement."

Early settlers built along the two creeks which flow south through Center Township, which includes Greenfield. The first businesses were small grist mills for grinding corn and wheat for settlers.

U.S. 40, the National Road, was built through Hancock County around 1835. It was heavily traveled by wagon trains going west and livestock going to Cincinnati. In 1853, the first steam railroad was completed by the Indiana Central Railroad at the south edge of Greenfield. The railroad became part of the Pennsylvania Railroad System and later the Penn-Central. These tracks were removed in the 1980s.

During this time, Greenfield's population continued to grow. Greenfield was incorporated as a city in 1876 with a population of 2,023. The greatest single period of growth began in 1887 when natural gas was discovered in the area. Greenfield was a boom town for 20 years, with the founding of manufacturing plants and other industries.

In some earlier historical publications, "Hancock County has been described as within the genius belt of Indiana." It was also said that "here oratory flourishes and the poetry is indigenous to the soil." Among the greats of the city were James Whitcomb Riley, the "Hoosier Poet"; two famous artists, Will Vawter and Dick Black, Earl K. Smith, composer of "Down by the Old Mill Stream", and Rev. Charles O'Donnell, later President of Notre Dame.

A statue of James Whitcomb Riley, which stands in front of the Hancock County Courthouse, was erected in 1918. It was purchased with money donated by school children from all over the United States. Each year, during the Riley Festival in October, the city's school children parade to the statue to place flowers around it.

Today, Greenfield represents the best of both worlds blending its small-town atmosphere with managed growth as part of the greater Indianapolis metropolitan area. The population of Greenfield, 11,657 in the 1990 census, has continued to grow steadily due to the fact that Hancock County is the sixth fastest growing county in the state of Indiana.

In a letter to Helen Downing, James Whitcomb Riley described Greenfield as “My home and your home and your parents' home and the best home outside of heaven.”

---

# Table of Contents

<i>Welcome</i> .....	page 7
Organizational Chart.....	page 8
 <i>Policy Administration Section</i>	
36.01 Introduction and Purpose.....	page 9
36.02 Organization and Responsibility .....	page 10
36.03 Policy Manual Administration .....	page 11
36.04 Equal Employment Opportunity .....	page 12
36.05 Discrimination/Sexual Harassment .....	page 12
36.06 Verbal Harassment.....	page 13
36.07 Physical Harassment.....	page 14
36.08 Harassment/Discrimination Grievance Procedure.....	page 14
36.09 Americans With Disability Act (ADA) .....	page 15
36.10 Employment at Will.....	page 16
36.11 Nepotism.....	page 16
36.12 Employer-Employee Relations .....	page 17
36.13 Alcohol and Drug Free Workplace .....	page 18
36.13a Pre-Employment Screening .....	page 18
36.13b Random Drug and Alcohol Screening .....	page 19
36.13c Reasonable Suspicion Screening .....	page 19
36.13d Post Accident Screening .....	page 19
36.14 Commercial Driver’s License .....	page 20
36.14a Post Accident Screening.....	page 21
36.14b Random Drug Screening .....	page 21
36.14c Reasonable Suspicion Screening .....	page 22
36.15 Management Rights .....	page 22
 <i>Employment Section</i>	
36.16 Employment Status .....	page 23
36.17 Classification.....	page 24
36.18 Minimum Qualifications .....	page 24
36.19 Vacancies and Appointments .....	page 25
36.20 Employment Orientation .....	page 27
36.21 Probationary Period .....	page 29
36.22 Performance Evaluation.....	page 29
36.23 Employee File.....	page 30
36.24 Transfer and Promotion .....	page 31
36.25 Demotion.....	page 31
36.26 Resignation/Separation .....	page 32
36.27 Training .....	page 32

## *Employee Behavior/Conduct*

36.28	Ethics/Conflict of Interest .....	page 33
36.28a	Application .....	page 33
36.28b	Impartiality Non-Discrimination .....	page 34
36.28c	Representation .....	page 34
36.28d	Financial or Personal Interest Disclosure .....	page 34
36.29	Gifts .....	page 35
36.30	Confidential Information.....	page 36
36.31	Use of Public Property.....	page 36
36.32	Notice of Alleged Ethics Non-Compliance .....	page 36
36.33	Ethics Commission: Hearing Procedure .....	page 36
36.34	General Provisions.....	page 38
36.35	Behavior/Conduct.....	page 39
36.36	Progressive Discipline .....	page 43
36.36a	Group I Rules .....	page 44
36.36b	Group II Rules .....	page 45
36.37	Employee Appeal .....	page 46
36.38	Grievance Procedure .....	page 46

## *General Policies*

36.39	Travel and Expense Reimbursement.....	page 47
36.40	Health/Safety .....	page 48
36.41	Material Data Safety Sheets .....	page 49
36.42	Blood Borne Pathogens.....	page 49
36.43	HIPAA Privacy .....	page 49
36.44	Smoking Policy.....	page 50
36.45	Tools/Equipment and Vehicles.....	page 50
36.46	Solicitation and Distribution.....	page 51
36.47	Confidential Information.....	page 52
36.48	Hours of Work.....	page 52
36.49	Weather Emergencies .....	page 53
36.50	Communication Equipment, Internet, Cell Phone.....	page 54
36.51	Handling Citizens' Questions and Complaints .....	page 55
36.52	Political Activity.....	page 55
36.53	Definitions .....	page 56
36.54	<i>Benefits Section Title Page</i> .....	page 57

## *Wage and Hour Section*

36.55	Payroll.....	page 58
36.56	Direct Deposit .....	page 58
36.57	Over Time.....	page 58
36.58	Compensatory Time .....	page 59
36.59	Flex Time.....	page 60
36.60	Pension Plan.....	page 60
36.61	Garnishments.....	page 60

*Holidays, Vacations, Leaves*

36.62 Holidays.....page 61  
36.63 Vacation.....page 61  
36.64 Bereavement Leave .....page 62  
36.65 Court Leave .....page 63  
36.66 Personal Time Off (PTO) .....page 63  
36.67 Military or Reserve Duty .....page 64  
36.68 Leave of Absence Without Pay .....page 65  
36.69 Family Medical Leave .....page 65

*Insurance Coverage*

36.70 Group Health Insurance .....page 67  
36.71 Life Insurance.....page 68  
36.72 Deferred Compensation Plan .....page 68  
36.73 Workers' Compensation .....page 68  
*36.74 Acknowledgement of Receipt.....page 70*

# WELCOME

## TO A PROUD “TEAM” DEDICATED TO “CITIZEN SERVICE”

Your fellow employees of Greenfield welcome you to the Team. You have been chosen to receive an opportunity to become part of a proud working tradition. Your co-workers and their predecessors have established an outstanding reputation serving the citizens of Greenfield. Indeed, our motto is Citizen Service. Simply put, this means our mission is to provide quality service on a consistent basis with economy and efficiency in mind. We must be ever mindful of how we spend our taxpayer’s dollars.

Although City employees are assigned to a specific department, the nature of our work may necessitate an employee from one department being transferred to a different department.

These are normally temporary assignments, but their frequency and duration will be governed by the needs of the City.

Please understand you will be in the public's eye. Greater scrutiny and expectations from our citizenry is your heritage. We are confident you will serve with honor.

The City policies and procedures have been adopted to provide guidance for all concerned. It is your responsibility to know and practice them. As you study them, please list any questions for review with your Supervisor. A thorough understanding of these procedures will make all our working lives better.

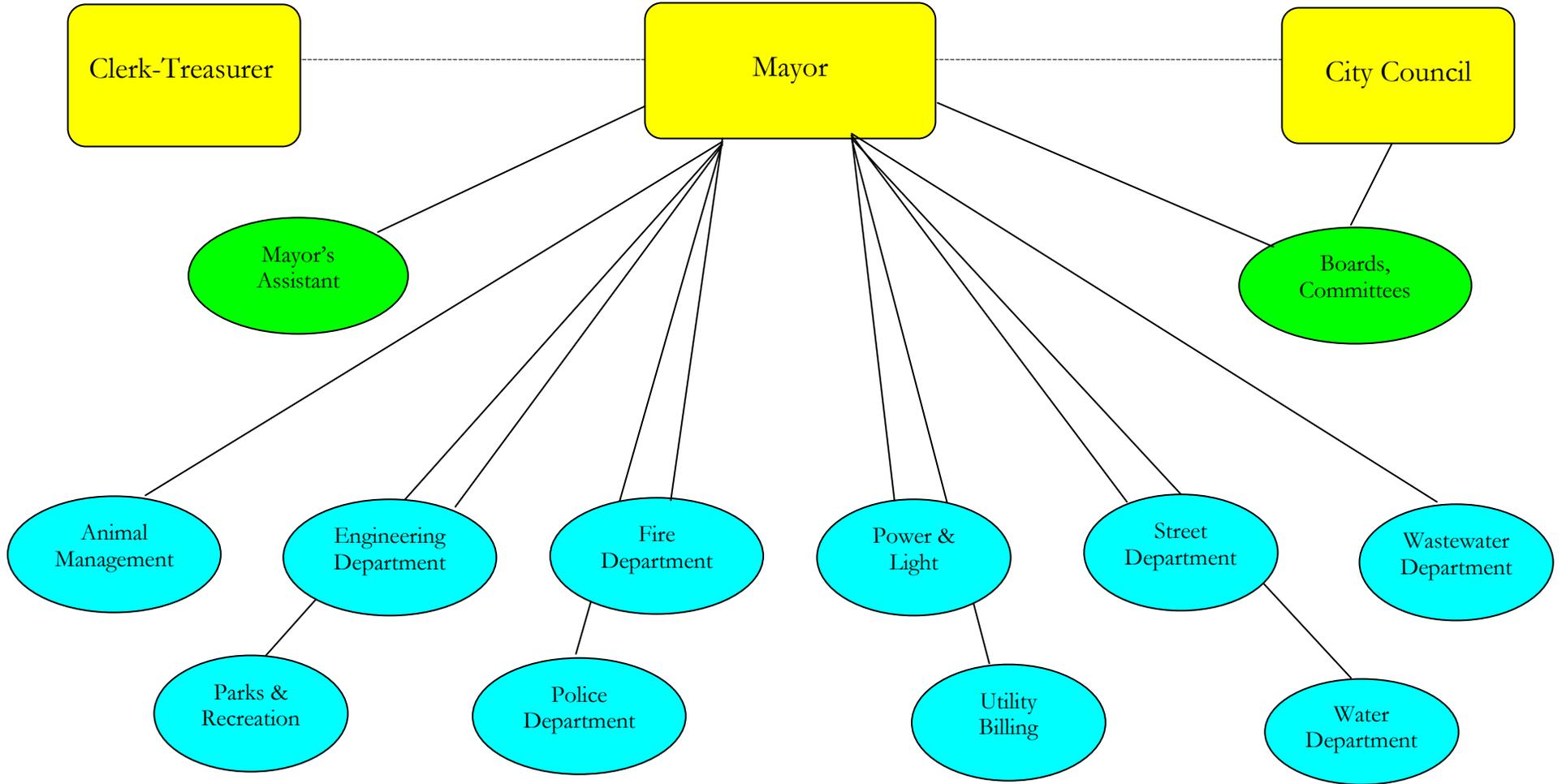
When problems or concerns arise, please attempt to resolve them with your Supervisor and/or Department Head. Perhaps the matter can be taken care of before it becomes necessary to file a formal grievance.

We ask that you do not let little problems become big ones through neglect. If its work related, and it is bothering you, discuss the matter with your Supervisor.

Greenfield is proud of the benefit package provided to our valued employees. Your Supervisor will explain these benefits and let you know at what point you will be eligible for them.

Greenfield is an outstanding community. One of the biggest reasons we are that way is the pride and dedication of our municipal work force. It is a pleasure to welcome you to an organization that is dedicated to Citizen Service. We are confident you will soon be contributing towards that end.

# Greenfield Organizational Chart



# **Policy Administration**

## **36.01 Introduction and Purpose**

The purpose of this Personnel Policy and Procedure Manual is to provide a consistent, systematic, and organized approach to the establishment, implementation, and administration of the personnel policies of Greenfield (hereinafter referred to as the City). It is written, adopted, and interpreted exclusively by Greenfield's Elected Officials, and their designees, and is not subject to modification, change, or contrary interpretation by any employee or employee representative organization except as may otherwise be specifically authorized and recognized by the laws and/or Constitutions of the State of Indiana and United States.

This Manual is to be used to assist and guide personnel in the day-to-day direction and performance of the general workforce, the result being that a number of important and responsible goals may be achieved:

- A. First, by implementing uniform personnel policies that are applied in as consistent and impartial a manner as is practicable, the goal is to promote the best possible working relationships and highest morale among all City employees. This policy manual was created for the employees of the City of Greenfield not covered by any other bargaining agreement. Furthermore, it is not the intent or purpose of this Personnel Policy Manual to supersede or overrule any State or Federal rules and regulations governing the operation of a department (the Police and Fire Department). It is, however, the intent of this Personnel Policy Manual to provide support, direction, and procedures that will enable the City to practice fair and consistent daily personnel administration.
- B. Second, by providing employees with fair and equal opportunities in their recruitment and advancement, by evaluating their services on the basis of merit and fitness, and by giving consideration to their needs and desires, the goal, is to provide an employment atmosphere that increases the cooperation and productivity of the employees together with the prospects for career opportunities within the City and each office or department of City government.
- C. Third, by providing dependable and courteous services to the residents of the City, the goal is to enhance the reputation and stature of the City's departments and offices within the community.

## 36.02 Organization and Responsibility

- A. Greenfield is governed by the Mayor and Clerk-Treasurer. (Mayor and Clerk-Treasurer will be referred to in this manual as Elected Official.) The Elected Official is responsible for their area of administration of City business.
- B. The City is organized into various departments, or offices, to ensure adequate expertise, specialization, and efficient functioning. These departments, or offices, function under the administrative guidance and control of the Department Heads, who are responsible for the day-to-day management and operation of the City.
- C. Department Heads are appointed by the Elected Officials, as needed, within each City Department, or Office, to provide proper control and supervision of certain internal and department functions.
- D. The employees in the Clerk-Treasurer's office work at his/her pleasure. These employees can be separated without cause.
- E. Each employee's particular duties, obligations, and areas of responsibility are defined in his/her position description and/or by assignment or directive of any Supervisor. Employees are primarily responsible to their Immediate Supervisor for completion of specific work assignments and the quality, quantity, and timeliness of the work performed.
- F. The rights, authorities, powers, and responsibilities of City employees at all levels, with respect to the policies in this manual, are more clearly delineated in the specific subject areas. However, in general, the Elected Official is charged with the development, promulgation, and adoption of the provisions of this manual. The various management and Supervisor personnel are charged with applying, interpreting, enforcing, and generally ensuring compliance with the provisions of this manual. It is the obligation and, a requirement as a condition of employment for each individual person employed by the City to comply in every respect with the provisions of this manual and any related procedures and work rules and to perform their assigned duties in a responsible manner creditable to the City. As such, all City employees are expected to become knowledgeable about its contents and abide by the policies set forth herein. Any questions, concerns, or lack of understanding about a particular provision of this manual should be promptly discussed with his/her Department Head.
- G. The Clerk-Treasurer has adopted this manual into his/her department and for their particular branch of City Government.

## 36.03 Policy Manual Administration

To implement this Personnel Policy and Procedure Manual and to oversee its administration on a day-to-day basis, the following procedures will be taken:

- A. A copy of this Manual will be given to all current employees of Greenfield and to all new employees, subsequent to its adoption.
  - 1. This Manual will also be made available to part-time and temporary employees.
- B. The contents of this manual are subject to change without notice at the discretion of the City. Only the Elected Official will have the authority to make revisions of policies contained herein for his/her area of responsibility.
- C. Any changes in the Policy and Procedure Manual shall in no way alter the Employment-At-Will policy or create a binding contract between the City and any employee.
- D. Employees are encouraged to make suggestions for improvements in personnel policies and practices. Suggestions should be directed to the Department Head, in writing, together with an explanation as to how such a change could benefit the City, your Department, and/or the public.
- E. The City will undertake to accomplish a review of the manual at twelve-month intervals or as may be indicated by law or change in characteristics of the City workforce.
- F. The Department Heads maintain the ultimate right to manage their work forces, consistent with the policies set forth in this manual and all applicable State and Federal laws. The Department Heads' rights include, but are not limited to, determining method and procedure, recommending: number of work force, assignment of duties, hours of employment, compensation of personnel, hiring, disciplining, discharging, promotion and transferring employees, and laying off employees for lack of work, lack of funds, or due to job abolishment.
- G. The policies of this Manual supersede all previous policies or ordinances of Greenfield, written or unwritten, on subject matters covered or referred to herein. The Policy and Procedure Manuals of the Police and Fire will supersede this manual in situations where their manual is written with stricter requirements. In policy areas in which the Police and Fire policy manuals are silent on a topic, the Greenfield City Policy and Procedure Manual will be in effect.
- H. In the event that any Section of this Manual or amendment or revisions thereto is held to be unenforceable, contrary to law or otherwise restrained from its full force

and effect by a court or other tribunal of competent jurisdiction, the remaining Section(s) of the Manual, to the extent that they remain unaffected by such declaration restraint, shall continue in full force and effect.

## **36.04 Equal Employment Opportunity**

It is the policy of Greenfield that all personnel actions such as: hires, rate of compensation, benefits, promotions, transfers, layoffs, recalls, City-supported training, and social or recreational programs shall be administered without regard to race, color, religion, national origin, sex, age, marital status, sexual orientation, or non-job related handicap. Therefore, all such personnel actions should be consistently administered to all employees without compromise and thus should be based on the results achieved on the job, as well as objective job relatedness in both job qualifications and performance standards.

## **36.05 Discrimination/Sexual Harassment**

- A. We believe that all our employees should be able to work in an atmosphere free from all forms of employment discrimination, including sexual harassment. Greenfield's policy is to forbid sexual harassment and any type of discrimination. This policy extends to every level of our operations. Accordingly, discrimination and sexual harassment, whether by a fellow employee, Supervisor, or Elected Official, will not be tolerated. Activities of this nature serve no legitimate purpose; they have a disruptive effect on the employee's ability to perform, and they undermine the integrity of the employment relationship.
- B. We take allegations of discrimination and sexual harassment very seriously. Any employee who believes that he/she is a victim of discrimination or sexual harassment should immediately bring the matter to the attention of his/her Supervisor, or in the case where the Supervisor is the problem, contact the Elected Official. All such matters will be treated confidentially, and with the utmost discretion. Greenfield will actively investigate all discrimination and sexual harassment complaints, and if determined that discrimination or sexual harassment has occurred, the Elected Official will take appropriate disciplinary action against the offending party, up to and including termination.
- C. Acts considered to constitute sexual harassment include, but are not limited to, unwanted, uninvited or offensive touching, displaying sexually suggestive or explicit material, pictures or cartoons, telling sexually suggestive or explicit stories or jokes, making sexually suggestive or explicit gestures, unwelcome sexual

advances, requests for sexual favors and other verbal or physical conduct of a sexual nature where:

1. Submission to such conduct is either an express or implied term or condition of employment,
2. Submissions to or rejection of such conduct is used as a basis for an employment decision affecting the harassed person;
3. The purpose or the effect of such conduct is to interfere with the affected individual's job performance or to create an intimidating, hostile, or offensive, work environment.

D. Acts considered to constitute discrimination include, but are not limited to:

1. Hiring based upon race, color, religion, national origin, sex, age, marital status, sexual orientation, or non-job related handicaps
2. Promotions based upon race, color, religion, national origin, sex, age, marital status, sexual orientation, or non-job related handicaps
3. Pay increases based upon race, color, religion, national origin, sex, age, marital status, sexual orientation, or non-job related handicaps
4. Conduct that denigrates or shows hostility or aversion towards an individual because of their race, color, religion, national origin, sexual orientation, gender, age or disability
5. Making derogatory ethnic or racial statements, or belittling one's religion or religious practices
6. Perpetuating stereotypes about one's age gender, etc.
7. Refusing to assist an employee or victim/patient because of their race, gender, etc.
8. Ridiculing the sexual orientation of an employee or their associates

## **36.06 Verbal Harassment**

- A. Verbal abuse, as used in this policy, means to disturb or persistently irritate through repeated attacks on fellow employees and/or Supervisors as to disrupt their work or reputations.
- B. Greenfield will actively investigate all verbal harassment complaints, and if determined that harassment has occurred, the Elected Official will take appropriate disciplinary action against the offending party, up to and including termination.

## **36.07 Physical Harassment**

Physical harassment means to knowingly and intentionally cause or inflict physical pain to a fellow employee. Greenfield will actively investigate all physical harassment complaints, and if determined that physical harassment has occurred, the Elected Official will take appropriate disciplinary action against the offending party, up to and including termination.

## **36.08 Harassment/Discrimination Grievance Procedures**

It is helpful for the victim to inform the harasser directly that the conduct is unwelcome and must stop.

If an employee desires to file a harassment or discrimination charge against anyone in the city the following procedures shall be followed:

- A. Any individual who believes that he/she has been harassed or discriminated against must report this information to the Mayor or his/her designee as soon as possible.
- B. Upon notification, the Mayor/Designee will conduct a thorough investigation of the alleged incident. The investigation will consist of the following:
  1. A written statement from the victim, along with an interview
  2. Interviewing all of the witnesses to the alleged violation
  3. Interviewing the alleged violator
- C. A written analysis and decision will be provided to the victim, alleged violator, and the Board of Works/Mayor .
- D. A Board of Works Hearing will be conducted to render a final decision.
  1. Board will meet within two weeks of the initial claim
  2. The victim and the alleged violator will have the opportunity to make a statement and provide the Board with additional information if necessary.
  3. The Board will render a final disposition at the closing of the hearing.
  4. The Board's decision will be carried out immediately.

## 36.09 Americans with Disability Act (ADA)

- A. It is the policy of Greenfield that qualified individuals with disabilities are not to be excluded from participation in or benefit from the services, programs, or activities of the City. It is the policy of the City not to discriminate against a qualified individual with a disability in: job application procedures; the hiring, advancement or discharge of employees; employee compensation, job training, and other terms, conditions and privileges of employment. It is the intent of the City to comply with all applicable requirements of the Americans With Disabilities Act (ADA).
- B. The City will reasonably accommodate persons with a disability on a case-by-case basis, which may include making facilities readily accessible to individuals with a disability, restructuring jobs, modifying work schedules and/or equipment, or similar accommodations.
- C. Employees who want an accommodation should inform the Elected Official of their condition. Such employees are required to provide pertinent medical information. Employees and the Supervisors should contact the Elected Official for assistance when an accommodation is necessary.
- D. Accommodations may not create an undue hardship for the City or other employees. An individual who cannot be reasonably accommodated for a job, without undue hardship, will not be selected for that position. The Elected Official and the City Attorney will make determination of reasonable accommodation.
- E. All employees are required to comply with safety standards. Applicants who pose a direct threat to the health or safety of other individuals in the workplace, and where the threat cannot be eliminated by reasonable accommodation, will not be hired or retained. Current employees who pose a direct threat to the health or safety of the other individuals in the workplace will be placed on the appropriate leave.
- F. Further, disabled individuals cannot pose a direct threat to the safety of themselves or others. Generally, a “direct threat” means a significant risk to the health or safety of others that cannot be eliminated by reasonable accommodation. Benefits provided to disabled individuals who are qualified to perform the work must be consistent with the benefits provided to other employees. Any individual who believes he/she has received treatment inconsistent with the policies set forth above or any other requirement of ADA, may file a complaint with the Elected Official.

## 36.10 Employment-At-Will

- A. Public employment is based on the “at-will” doctrine. “At-will” employment means, any individual may voluntarily leave employment or may be terminated by the City at any time with or without cause. Any change to this policy will be effective only if set forth in writing and signed by both the employee and the appropriate Elected Official.
- B. There are exceptions to the “at-will” doctrine, which prevent wrongful termination.
- C. This policy may not be modified by any statements contained in this manual or any other employee materials, including applications, memoranda, or other documents provided to applicants and employees in connection with their employment. None of these documents, whether single or combined, create an expressed or implied contract of employment for a definite period, or an express or implied contract concerning any terms or conditions of employment.
- D. Similarly, City policies and practices with respect to any matter should not be considered as creating any contractual obligation on the City's part or as stating in any way that termination would occur only “for cause.” Statements of specific grounds for termination set forth in this manual or in any other City documents are examples only, not all-inclusive lists, and are not intended to restrict the City’s right to terminate at-will.
- E. Police and Fire Departments will be required to follow their SOP’s for their respective departments.
- F. Completion of a Probationary Period or conferral of regular status does not change an employee's status as an at-will employee or in any way restrict the City's right to terminate the employee or change the terms or conditions of employment.

## 36.11 Nepotism

- A. The City of Greenfield selects employees based on their job qualifications. To make sure this standard is always followed and to protect the integrity of business operations, the City has certain restrictions on when and where relatives of employees can be hired and how related employees can work together.
  - 1. Members of an employee’s immediate family (including parents, siblings and children) are considered relatives. Relatives also include persons related by

marriage (including in-laws and common law marriage) and those related by law (including adoption, guardianship, and foster parent relationships).

2. Two employees may also be considered related if they have a personal relationship that, in the opinion of the City, may affect or give the appearance of affecting the employment decisions of the Council. This may include a dating relationship or indirect reports involving a shared residence.
- B. Unless otherwise specified by State law, relatives will not be hired, promoted or transferred to positions that:
1. Places them in the same department
  2. Places them in direct or indirect supervisory or managerial capacity over a relative. The employment of relatives as co-workers in the same work unit may also be prohibited even when there is not a reporting relationship.
  3. Allowing them to directly or indirectly influence salary adjustments, career progress, or other managerial activities involving a relative.
  4. Require them to audit or review the work of another relative
- C. Subsequent to the adoption of this Manual, Elected Officials' spouses shall not be hired to work for the City.

## **36.12 Employer-Employee Relations**

- A. The City is committed to a mutually rewarding and direct relationship with its employees. Thus, the City attempts to be receptive to constructive suggestions, criticisms, and questions. Regularly scheduled departmental meetings to keep employees informed about items of interest and discuss issues of concern to employees. The City, as part of its commitment to delivering the highest level of services to our residents and guests, expects all employees:
1. To treat all residents, guests, and suppliers as customers of all City services
  2. To represent the City in a positive and ethical manner
  3. To perform assigned tasks in a safe and efficient manner
  4. To attend work as required and to be punctual
  5. To demonstrate a considerate, friendly, and constructive attitude toward fellow employees, Supervisors, and Elected Officials
  6. To follow the City and departmental policies and practices
- B. The City retains the sole discretion to exercise all managerial functions, including the following rights:

1. To dismiss, assign, supervise, and discipline employees
2. To determine and change employee work schedules to meet the needs of our customers and guests of the City of Greenfield
3. To assign employees to other jobs within departments or into other departments
4. To determine and adjust the employee number and specific qualifications of the workforce
5. To assign duties to employees in accordance with the City's needs and requirements and to carry out all ordinary administrative and management functions
6. To establish, change, and abolish policies, practices, roles, and regulations as the City works to meet the needs of its constituents.

## **36.13 Alcohol and Drug Free Workplace**

It is the intent and obligation of Greenfield, IN, to provide the employees with an Alcohol and Drug Free Workplace.

Employees of Greenfield are expected and required to report to work on time and in appropriate mental and physical condition. It is unlawful to manufacture, consume, possess, control, distribute, or sell alcohol or illegal drugs, in any amount, at any time during working hours, or at any time while on Greenfield premises. Alternatively, when the employee is performing his/her job functions while off City premises will also constitute a violation of this policy. Violation of this policy is strictly prohibited. Violation of this policy may result in disciplinary procedures up to and including termination.

Greenfield recognizes alcoholic or drug dependency as an illness and a major health problem. Additionally, the City also recognizes alcohol or drug abuse as a potential health, safety, and security problem. The City understands that some employees are hesitant or afraid to ask for help even when they are aware that they may have a drug and or alcohol problem. Employees needing help in dealing with such problems will have one opportunity to ask for help without repercussion. They should contact their Department Head who in turn will notify the Elected Official's office for guidance and direction. Every effort will be made to confidentially refer the employee who needs and requests such help to qualify for help. Conscientious efforts to seek such help may not jeopardize any employee's job.

### ***36.13a Pre-Employment Screening***

Applicants for positions with the City, and former employees seeking to be rehired, will be notified of the City's drug and alcohol screening policy at the time they apply.

As a condition of employment, the candidate will be required to pass a physical exam, including a drug and alcohol screening, at the applicant's expense, before becoming employed by the City of Greenfield. If the applicant is hired, he/she will be reimbursed for the physical, including drug and alcohol screening.

The prospective employee will be denied employment if he/she fails the drug or the alcohol screening, or refuses to submit to the drug and alcohol screening.

### ***36.13b Random Drug and Alcohol Screening***

The City will test employees on a random basis, and all such tests will be unannounced. Every employee will have an equal chance of being selected every time the selection is conducted. Appropriate safeguards are also present to ensure that the identity of the employees cannot be determined before or at the time of their selection. When an employee is randomly selected to be tested, he/she will be notified and instructed to report to the collection site immediately.

An employee who tests positive for drugs and or alcohol, or who refuses or fails to submit to a random drug and alcohol test will be subject to disciplinary action, up to and including, discharge.

### ***36.13c Reasonable Suspicion Screening***

The City of Greenfield will administer an alcohol and or drug test when there are specific and objective reasons to believe that an employee's behavior is jeopardizing workplace safety. No test is to be performed until there is "cause" to believe that the employee is impaired is properly documented-preferably in writing by at least two City Supervisors. (If two trained individuals are not available to show cause, the Supervisor who observes the impairment will use his/her best judgment to determine whether a test is necessary.)

"All Department Heads, City Supervisors, and /or Foremen shall be required to undergo annual training at the expense of the City by an independently contracted entity to be able to observe and detect indication of impairment of an employee due to the use of alcohol or drugs."

An employee who tests positive for drugs and or alcohol, or who refuses or fails to submit to a reasonable suspicion drug and alcohol test will be subject to disciplinary action, up to and including, discharge.

### ***36.13d Post Accident Screening***

Greenfield will require a post accident alcohol and drug test on any employee who is driving a City owned vehicle or their personal vehicle on City time. The employee must submit to a post accident drug and alcohol test as soon as possible

after an accident, whenever he/she receives a citation for a moving violation involving the accident, and (i) either a person is injured because of the accident and the injuries require immediate medical treatment to the person away from the accident scene; (ii) one or more motor vehicles involved in the accident incur disabling damage and must be transported away from the accident scene by a tow truck or another vehicle. (A Supervisor on the scene can ask the employee to submit to drug and or alcohol test if they believe the situation warrants one even if there is no personal injury or disabling vehicle damage.) “Note - the police can also request that a test be done following an accident.”

An employee who is required to take a post-accident drug and alcohol test will, at the City’s discretion, either be assigned to a position which does not require driving City vehicles or placed on non-disciplinary suspension with pay while awaiting the post accident test results.

An employee who tests positive for drugs and or alcohol, or who refuses or fails to submit to a post accident drug and alcohol test will be subject to disciplinary action, up to and including discharge.

If the employee tests positive for drugs or alcohol, he/she will be required to reimburse the City for the cost of testing.

## **36.14 Commercial Driver’s License (CDL)**

Any City employee, who is required to drive a City vehicle, which meets the federal regulations to be considered (Heavy Equipment), will be required to maintain a Commercial Drivers License (CDL). These employees will be required to participate in Greenfield’s alcohol and drug-testing program as mandated by the Department of Transportation.

The goals of the City’s alcohol and drug testing policy are to insure a drug and alcohol-free work environment, and to reduce and help eliminate drug and alcohol related accidents, fatalities, and damage to property.

Under the City’s Policy, drug and alcohol testing will be conducted on any current and/or prospective driver who may be required to operate a motor vehicle having a gross vehicle weight rating in excess of 26,000 pounds in interstate or intrastate commerce, and on any driver of a motor vehicle that is used to transport hazardous materials in a quantity which requires the vehicle to be placard regardless of the vehicle’s size.

All applicants for positions with the City which will include driving City equipment, and which meets the above requirements will be notified of the City's drug and alcohol use and testing policy at the time, they apply. They will be required to pass an alcohol and drug test before becoming employed by Greenfield.

A CDL Driver must maintain his/her CDL license status or he/she will be terminated.

### ***36.14a Post Accident Testing***

Any employee carrying a CDL must submit to a post accident drug and alcohol test as soon as possible after an accident, whenever: (i) he/she receives a citation for a moving violation involving the accident; or (ii) either a person is injured because of the accident and the injuries require immediate medical treatment to the person away from the accident scene; or (iii) one or more motor vehicles involved in the accident incur disabling damage and must be transported away from the accident scene by a tow truck or another vehicle. (A Supervisor on the scene can ask the employee to submit to drug and or alcohol test if they believe the situation warrants one even if there is no personal injury or disabling vehicle damage.) "Note the police can also request that a test be done following an accident."

An employee who is required to take a post-accident drug and alcohol test will, at the City's discretion, either be assigned to a position, which does not require driving City vehicles, or placed on non-disciplinary suspension with pay while awaiting the post accident test results.

An employee who tests positive for drugs and/alcohol, or who refuses or fails to submit to a post accident drug and alcohol test will be subject to disciplinary action, up to and including discharge.

### ***36.14b Random Testing***

The City is required to test CDL employees on a random basis, and all such tests will be unannounced. Every employee will have an equal chance of being selected every time the selection is conducted. Appropriate safeguards are also present to ensure that the identity of the individual drivers cannot be determined before or at the time of their selection. When a driver is randomly selected to be tested, he/she will be notified and instructed to report to the collection site immediately.

An employee who tests positive for drugs and/or alcohol, or who refuses or fails to submit to a random drug and/or alcohol test will be subject to disciplinary action, up to and including discharge.

### ***36.14c Reasonable Suspicion Testing***

Each CDL employee is required to submit to a drug and alcohol test whenever the City has reasonable suspicion to believe that the driver has used drugs and/or alcohol in violation of DOT regulations and/or this policy.

Reasonable suspicion will exist when an employee's appearance, behavior, speech, or body odors indicate drug or alcohol use, or the withdrawal effects of drugs. Such observations must be personally observed and documented by at least one City official who has received training covering the physical, behavioral, speech, and performance indicators of probable drug and alcohol use. (If the trained individual is not available, the Supervisor who observes the impairment will use his/her best judgment to determine whether a test is necessary.)

An employee who is required to submit to a reasonable suspicion test will be escorted by his/her Supervisor to the appropriate specimen collection site for the drug and alcohol test.

The Supervisor will arrange the transportation of the employee home at the completion of the test.

An employee who is required to take a reasonable suspicion test will be considered by the City as unqualified to work and placed on immediate suspension, without pay, pending the results of the test. An employee whose test results are positive will not be reimbursed for the time of the suspension.

An employee who tests positive for drugs and/or alcohol, or who refuses or fails to submit to a reasonable cause drug and alcohol test will be subject to disciplinary action, up to and including discharge.

If the employee tests positive for drugs or alcohol, he/she will be required to reimburse the City for the cost of testing.

## **36.15 Management Rights**

- A. The City reserves all rights, which are afforded to them by virtue of their capacity and authority under the Indiana Code, together with all such other rights of management, which are inherent by custom to such positions.
- B. The City Council is responsible for affixing compensation and benefits.
- C. Specifically, Management rights include, but are not limited to, the following:

1. The right to manage through the implementation, enforcement, amendment, deletion, or revision of policies, procedures, rules, regulations, and directives.
  2. The right to control the efficiency of operations through organization or reorganization of work methods or procedures; layoff or recall of employees due to operational or financial needs; and improvement in work methods, equipment, machinery, and facilities.
  3. The right to direct the workforce through the determination of its size and number; the number of shifts required; work schedules and hours of employment determine when it is necessary for overtime or compensatory time, and the amount, if required. The selection, retention, and assignment of all employees based upon qualifications and departmental functions and duties; and disciplining them as required; including suspension, termination, or reduction in pay or position; and promoting and transferring employees as needed pursuant to established policy.
  4. The right to effectively, efficiently and economically manage the Department by determining acceptable standards of conduct and performances; the methods, means, equipment, materials, and processes for the accomplishment of work; the department's goals, objectives, programs, services, and work to be performed and to utilize personnel in a manner designed to meet these purposes and improve productivity.
  5. The right to determine when an emergency exists and implement actions and assignments deemed advisable and necessary to effectively respond to such emergencies. Each Department Head shall have the right and authority to promulgate and enforce any reasonable work rules and operational policies and procedures necessary to carry out the mission, goals, objectives, and functions of their Department.
- D. Department Heads shall further have the right to create and enforce any rules, regulations, and procedures necessary to implement the personnel policies contained in this Manual.
- E. Such rules, regulations and procedures shall not conflict in any manner with the policies of this Manual and are only applicable to the particular department or office.

## **Employment**

### **36.16 Employment Status**

All employees of Greenfield shall be categorized as full time, part time, or temporary.

- A. Full Time Employee: an employee who works an average of 1820 hours per year (35 hours per week), on a regularly scheduled basis.
- B. Part Time Employee: An employee who works less than 1820 hours per year, or averages less than full time as described above, but on a regularly scheduled basis.
- C. Temporary Employee: An employee who works in a position that is of a non-permanent nature (full time, part time) and which position has a specified duration of time, not to exceed ten (10) months.

## **36.17 Classification Plan**

- A. A job description based upon the duties and responsibilities of positions has been created for each position within the City of Greenfield.
- B. The Department Head shall, as needed, review the duties and responsibilities of positions to recommend to the Elected Official, for adjustments or revisions to the job descriptions.

## **36.18 Minimum Job Qualifications**

- A. It is the responsibility of employees to maintain the minimum qualifications of their classifications as established by the Elected Official or Department Head and/or mandated by State or Federal law. The Department Heads shall determine the qualifications and requirements for each classification in the City.
- B. Employees failing to maintain the minimum qualifications of their classification, or who do not comply with State and Federal requirements may be subject to either termination of employment or a reduction of position.
- C. If a vacancy exists in a department for which the employee is qualified, the employee may be recommended for the position by the Department Head, with final approval granted by the Elected Official.
- D. An employee who is terminated pursuant to this section may reapply for employment upon meeting the minimum requirements of the classification. An employee who is reduced in position shall receive the rate of pay of new classification and may apply for his/her former position when a vacancy becomes available and the requirements of the position have been met. All employees are expected to make reasonable and diligent efforts to maintain the qualifications of their current classification. The provisions of layoff and recall shall not be applicable to this Section.

## 36.19 Vacancies and Appointments

- A. In the event the Elected Official and/or Department Head determines that a vacancy exists, a notice of such position opening shall be conspicuously posted for a period of (5) five working days on employee bulletin boards throughout the City's facilities. The notice shall include the date of posting, as well as the date the notice expires. The Department Heads should notify his/her Elected Official's or their designee to coordinate all postings.
- B. All announcements will specify the job title, nature of the job, required qualifications, and essential functions of the position, compensation range, application deadline, and the place to file such applications.
- C. Employees desiring to be considered for the position must complete a new application and apply for a posted vacancy provided he or she possesses the requisite minimum qualifications and is not a probationary employee. Criteria used in evaluating an applicant's qualifications may include such considerations as evaluations, aptitude, attendance records, education, training, prior work experience history, physical and mental fitness for the position, and length of service with the City and the particular City Department or office.
- D. In the event that no qualified employee applies or the Elected Official determines that, such position(s) should be filled from outside, the Elected Official and/or Department Heads, at their discretion, may do so.
- E. An applicant for employment with the City must complete an employment application, including acknowledgement that he or she is a citizen of the United States or has filed a declaration of intent to become one and a declaration that all information provided is truthful. Falsification of any statements by the applicant shall be cause for denial of employment or termination from employment if discovered after the applicant has been hired. Evidence of a conviction of a felony which was not reported, or other conduct unbecoming a public servant of the City or posing a threat to the legitimate business concerns of the City or its various Departments shall also be cause for denial or termination from employment; however, prior criminal conviction(s) shall not be an automatic bar to employment. This application must be given to the Department Head where the opening exists or the Elected Official by the close of business on the last day of posting.
- F. Upon determination of which applicants meet the minimum job-related qualifications, the applicant's knowledge, skill, and ability to perform the essential functions of the position may be considered. Applicants shall be required to

provide any information and undergo any job-related performance tests, reference checks, background checks, or other job-related procedures necessary to demonstrate qualifications for the position sought.

- G. Full time applicants selected for employment will be required to submit to a pre-employment alcohol and drug screen as a condition of employment. The applicant may also be required to submit to physical and/or psychological examinations to determine their ability to perform the duties of the position for which they have been selected. Such examinations shall be conducted prior to commencement of employment and shall be a condition for acceptance as an employee of the City. All testing and examinations required by the City shall be at the expense of the employee and will be reimbursed if hired. Examinations may include any job-related examinations determined to be pre-employment requirements. If an employee is being reinstated within one (1) year of separation, another examination may not be required. Any applicant choosing to waive the examination requirement shall submit a written affidavit from a qualified physician describing his or her state of health at the time of employment.
- H. In the event that an applicant has a disability which affects his/her abilities to complete employment testing, a request for reasonable accommodation, made by the applicant prior to the administration of the testing, (including accessible testing sites, modified testing conditions, and accessible testing formats) will be evaluated to ensure that the application process is available to all qualified applicants.
- I. Requests for reasonable accommodations will be evaluated for applicants and employees with a handicap as required by law. Health and medical conditions shall only be a bar to employment if the employee or applicant's condition is still such that after making reasonable accommodation he/she could not perform the substantial and material aspects of the job. In addition, the City, at its own expense, may require an employee at any time to take a medical examination conducted by a licensed physician to be selected by the City if he/she has reason to believe the employee is no longer capable of performing the substantial and material portions of the duties and responsibilities of his/her position.
- J. The City may conduct or arrange for oral or written examinations and/or proficiency tests as deemed necessary to select the most qualified candidates for employment and/or promotion.
- K. In the event that the minimum requirements and qualifications of a classification are changed by external law or technological advancement, it shall be the sole responsibility of the employee to meet such new requirements within a reasonable period and maintain such qualifications. Employees failing to maintain the

minimum requirements and qualifications of their classification in a reasonable amount of time may be subject to reduction in position, provided a vacancy exists in a classification for which the employee is qualified or termination if no such vacancy exists. The City has no obligation to create a vacancy for an employee failing to maintain the qualifications of his/her job.

- L. The Department Heads may eliminate a candidate from consideration if the candidate:
  - 1. Does not possess the knowledge, skill, and abilities necessary to effectively perform the duties of the vacant position
  - 2. Has made a false statement of material fact on the application form or supplements
  - 3. Has committed or attempted to commit a fraudulent act at any stage of the selection process
  - 4. An illegal alien is not legally permitted to work for Greenfield. An applicant may be eliminated from consideration upon other reasonable grounds relating to job requirements (i.e., inability to perform essential functions even though reasonable accommodations have been made). If an applicant is hired and it is subsequently discovered that any of the above disqualifying criteria apply, the Department Heads may recommend termination of the employee for dishonesty, incompetence, nonfeasance, or malfeasance.
- M. Continued employment by the City is conditioned upon the employee maintaining the physical, mental, and emotional ability to perform the substantial and material portions of his/her duty(ies) and a satisfactory record of performance and discipline as determined solely and exclusively by the Elected Official and/or designees.

## **36.20 Employment Orientation**

- A. An orientation program will be conducted for all newly hired employees of the City. The primary purpose of the orientation program is to acquaint new employees with City policies and departmental rules and procedures, the organization's structure, their job description, and to familiarize such new employees with facilities' equipment, and introduce them to department personnel and Supervisors.
- B. The Department Head is responsible for establishing an orientation program for new employees within their Department and designate individuals to conduct such orientation.

C. This orientation program may include but not limited to such areas as:

### **Department Head Responsibilities/Elected Official**

Details to take care of before your first day on job:

1. Application
2. Review City benefits
3. I-9 Form (Examples: Social Security Card, Driver's License, Birth Certificate, and Passport)
4. W-4 Form
5. 457 Application
6. PERF
7. Emergency contact information
8. Disability Forms
9. Fill out all insurance forms
10. Fill out all payroll information
11. Provide and review City Personnel Policy and Procedure Manual and return signed acknowledgement page to Clerk-Treasurer
12. City philosophy
13. Importance of attitude
14. Employee dress code
15. Reporting to work (time, place, and daily and weekly work hours)
16. Where to store your personal belongings while working
17. Personal calls/emailing/texting
18. Where to pick up your payroll check
19. Who to see if there is a question/mistake on your check
20. Job description and training for your new job
21. Probationary period
22. Overtime/Compensatory time
23. Who to call if absent
24. Safety in the workplace
25. What to do in case of fire or other disasters
26. First aid procedures in case of emergency
27. Whom to contact if you have suggestions for improvements, use of City equipment and/or vehicles, City grievance procedure
28. Job and employee information postings
29. Introduction to "all" employees within the department
30. Others as Determined by the Department Head

- D. It is the responsibility of the Department Head to establish an orientation “check- off” list covering the above areas. The individual conducting the orientation will be required to check off each area after they have acquainted new employee with this area and obtain the employee's signature and date indicating they have completed the orientation program, and understand all information provided in each of the above areas.

## **36.21 Probationary Period**

- A. Newly hired employees of the City shall be required to complete a ninety (90) day probationary period. Police and Fire have a one (1) year probationary period.
- B. New employees shall be eligible for health and life insurance benefits the first day of the month following his/her hire date.
- C. New employees will begin accumulating PTO days on their hire date.
- D. The probationary period allows management the opportunity to closely observe and evaluate the employee’s fitness and suitability for the position to which they have been appointed.
- E. Only those employees who demonstrate an acceptable standard of conduct and performance during this period shall be retained in their positions.
- F. If the service of a newly hired probationary employee is unsatisfactory, he/she may be removed at any time during his/her probationary period without notice at the discretion of the Elected Official as appropriate with the recommendation of the Department Head, with final approval by the Board of Public Works.
- G. Time spent on inactive pay status or non-paid leave of absence shall not be counted toward the completion of the probationary period.
- H. PERF benefits begin date of hire regardless of probationary period.
- I. Police and Fire Departments shall refer to their own departmental policy for probationary requirements.

## **36.22 Performance Evaluations**

- A. The Elected Official should evaluate each Department Head on an annual basis. The date of each evaluation shall be determined by the Mayor.

- B. All other full-time employees will be evaluated by the Department Head on an annual basis as determined by the Elected Official.
- C. Part-time employees and program instructors may be evaluated on an annual basis as determined by the Department Head.
- D. Performance appraisals shall be written and shall include an employee's performance, efficiency, and dependability appraisal during the previous year. Appraisals may be used in determining promotions, demotions, terminations, and rehiring.
- E. Performance appraisals will be discussed between the employee and the evaluator shortly after the written evaluation is prepared. An employee may submit a written response to the evaluator.
- F. The intent of performance evaluations is to determine whether an employee is maintaining an acceptable level of performance and as an instrument to correct employee deficiencies in performance. Although the specific intent of the Article is not to use performance evaluations for the sole purpose of disciplining employees, it may be used as a basis for disciplining employees; it may be used as a basis for disciplinary action if the employee repeatedly fails to maintain an acceptable level of performance.

## **36.23 Employee File**

- A. The Clerk-Treasurer's Office maintains a confidential file for each employee, including (but not limited to) employment application, reference responses, attendance records, and evaluation reports. A copy of any written disciplinary action shall be given to the affected employee and shall be placed in the affected employee's personnel file.
- B. The City may retain employee information regarding planning, training, promotion, etc., in a separate employee file.
- C. An employee must make an appointment with the Clerk-Treasurer's Office at least two (2) days in advance to view his/her personnel file.
- D. Employee medical records will be maintained in accordance with HIPPA requirement.

## **36.24 Transfer and Promotion**

- A. Greenfield's policy is to promote from within whenever possible and to select employees for promotion on their ability and performance.
- B. Transfer from one area to another area is possible. If an employee is interested in an available opening and believes he/she is qualified to fill it, they should contact their Supervisor.
  - 1. Selections will be made by evaluating the qualifications, work experience, and job performance of all eligible applicants.
  - 2. Interviews will be conducted for selection in Supervisory positions.
- C. All employees transferred or promoted to a different job classification must complete an additional training period.
- D. Normally the training period will be 180 calendar days in the position to which appointed and may be used to evaluate an employee's fitness for the job classification in question.
- E. During the training period, the employee's performance will be reviewed with respect to quality and quantity of work, ability, skills, attitude, attendance and such other factors as may be deemed appropriate.
- F. Subject to staffing needs and budgetary requirements, employees who satisfactorily complete the training period may be offered either full-time or regular part-time positions.

## **36.25 Demotion**

- A. A demotion may occur for one of the three reasons: (1) An employee's inadequate job performance; (2) an employee requests a job move that is a demotion; or (3) The City makes a change that results in an employee being demoted, such as, but not limited to, when there is a change in job content or departmental structure. In this case, the demotion is not related to an employee's job performance.
- B. When the demotion is the result of one of the above-mentioned reasons, the employee's salary/wage may be affected. The employee's Department Head and/or Elected Official will notify and discuss the change with the individual.

## **36.26 Resignation/Separation**

- A. In the event that an employee intends to resign, he or she should notify the Elected Official or Department Head, as appropriate, in writing at least two (2) weeks in advance of the effective date in order to assure continuity of operations.
- B. An employee who resigns while in good standing with the City may be “reinstated” to the same or similar position within one (1) year following the effective date of the resignation. After the expiration of one (1) year, a former employee is eligible for rehire.
- C. Upon separation from employment, employee shall not remove any City property without proper authorization.
- D. Upon separation from employment, the employee will be paid in a lump sum check, all remaining vacation days and accrued compensatory time.

## **36.27 Training**

- A. It is the policy of the City of Greenfield to help employees develop or enhance job related knowledge and skill through workshops, seminars, etc.
- B. It is the employee's responsibility for maintaining and upgrading job skills. Each Supervisor and employee bears primary responsibility for maintaining individual knowledge, skills, and abilities necessary to perform the job, and for upgrading skills necessary to meet technological change or seek promotion. The City will facilitate those efforts and provide training from time to time.
- C. Employees on leave of absence are not eligible for this benefit.
- D. Out of State travel must be approved, in advance, by the Board of Public Works.
- E. Only course work approved, in advance, by the Department Head or Elected Official will be accepted for reimbursement.
- F. Certificate and/or proof of attendance and/or grade are required for reimbursement. Pre-registration and pre-arranged fees may be paid in advance with the Elected Official/Department Head approval.

- G. Only courses that will help develop necessary or useful skills or knowledge relevant to the employee’s current position, or to future responsibilities that are reasonably anticipated, will be approved. Job relevance is determined by the Elected Official and or the Department Head.
- H. The intent of approved educational assistance is not afforded the employee for the purpose of obtaining a degree.
- I. Procedure for Reimbursement
1. After successful completion of a workshop, seminar, etc., the employee must submit a certificate and/or proof of attendance and/or grades(s) or a certificate of satisfactory performance to the Department Head or Elected Official.
  2. The City will reimburse the employee for registration and tuition, and appropriate fees paid by the employee.
  3. Reimbursement shall be made by special check after all paperwork has been submitted and approved.

Note: Employees transferred or promoted may be required to have special training and there will be a probationary period. See Section “Transfer and Promotion”

## **Employee Behavior/Conduct**

### **36.28 Ethics/Conflict of Interest**

It is the policy of the City of Greenfield that in that all cases it’s elected and appointed officials and employees perform their duties for the benefit of the citizens of the city. They shall conduct the government of the city with loyalty, integrity and impartiality, without allowing prejudice, favoritism or the opportunity of personal gain to influence their decisions or actions or to interfere with serving the public interest. The purpose of this policy is to establish legal and ethical standards of conduct for all officials and employees of the city and to require disclosures by all officials and employees of private, financial or other interests in matters that may affect the city.

#### ***36.28a Application***

This policy shall apply to all elected officials of the city, all members of all commissions, committees, and boards established by state statute or local ordinance, policy or motion, individuals appointed by the Mayor or the Common Council (collectively “officials”), and all department heads and all other employees of the city (collectively “employees”).

### ***36.28b Impartiality Non-Discrimination***

While performing official's duties, no official or employee shall grant or make available to any person any consideration, treatment, advantage or favor beyond that which is the city policy to grant or make available to the public at large, without the prior approval of the Mayor. No official or employee shall discriminate against any person in violation of federal law, or the ordinances of the city.

### ***36.28c Representation***

Except in the performance of his or her official duties, no city official or employee shall represent any individual petitioner other than the city or himself or herself before the Common Council or a commission board or committee of the city.

### ***36.28d Financial or Personal Interest Disclosure***

- A. No official or employee, either on the person's behalf or on behalf of any other person shall have any financial or personal interest in any business or transaction with the Common Council, a board, commission, committee or other public body of the city unless that official or employee makes full public disclosure of the nature and extent of such interest and if required, disqualifies himself or herself from participating in the and acting upon the business or transaction. In the event the conflict of interest of the individual is ethical and not a violation of state law, and the Common Council, board, commission, committee or other public body requires the individual to cast a vote in order to carry out required official business of the city, the individual shall fully disclose the matter of conflict before casting a vote.
- B. If an official or employee has a potential conflict of interest, that person shall file a written public disclosure form with the Clerk-Treasurer prior to the final approval of the business or transaction by the Common Council, a board, commission or committee of the issue. The public disclosure form shall then be scheduled for review at the next public meeting of the Common Council, board, commission or committee of which that individual is a member.
- C. If a potential conflict of interest that otherwise was not anticipated, involving a city official, employee, board, commission or committee, arises while a meeting is underway, that member shall declare that a conflict may or does exist and shall immediately disqualify himself from participating and acting on that matter.
- D. If an individual covered by this policy is unsure as to the existence or non-existence of a conflict of interest, that individual may seek an advisory opinion from the City Attorney. The opinions rendered shall be advisory only, and shall not serve to

exempt or excuse any public officer or applicable penal or civil statutes ordinances and regulations. The City Attorney shall give prompt notice of a receipt of any such request to the Mayor

## **36.29 Gifts**

- A. No official or employee shall directly or indirectly solicit, accept or receive any gift or consideration whether in the form of money, services, loan, travel, entertainment, tickets, or thing of promise which was intended to influence himself or herself to act other than impartially in the performance of his or her official duties or was intended as a reward for any such action on his or her part.
- B. The following shall not constitute gifts or consideration for purposes of this section:
  - 1. A gift of nominal value is one that does not exceed \$25.00. Upon written request a gift of higher value may be reviewed by the Ethics Commission for appropriateness
  - 2. Trade discounts offered to all city employees or all members of one or more city departments.
  - 3. Trade discounts offered to general public or to private groups such as professionals, religious, or service organizations.
  - 4. Food consumed at public, professional, governmental, IMPA or community sponsored receptions, functions or events
  - 5. Entertainment provided at a public, professional, governmental, IMPA, or community event, function or reception in which multiple officials or employees of the City or of other municipalities are present. Examples include, but are not limited to, picnics, holiday parties, celebrations, golf outing, sporting events, social events, or other forms of entertainment.
  - 6. Acceptance of professional or public awards, reflecting positive performance or community service.
  - 7. Campaign contributions reported in full compliance with federal, state and local statutes and ordinances as they may apply.

## **36.30 Confidential Information**

No person to whom this policy applies shall use or permit the use of any confidential information regarding municipal affairs to advance the financial or personal interest of that person or any other person.

## **36.31 Use of Public Property**

- A. No official or employee shall use the funds, property, equipment, supplies or labor of the city for a purpose which is for the private benefit of such official, employee or any other individual or group of individuals, unless the same benefit is available to the general public on equal terms or the use is in accordance with municipal policies or ordinances.
- B. No official or employee shall use the funds, property, equipment, supplies or labor of the city to perform services or provide benefit to any non-public property unless an emergency exists, the use or service is in accordance with municipal policies or ordinances, or authorization is granted by the appropriate department head and approved by the Board of Public Works and Safety.

## **36.32 Notice of Alleged Ethics Non-Compliance**

If anyone has reason to believe that there has been non-compliance with this policy, he or she shall give a written complaint thereof to the Clerk-Treasurer. The Ethics Commission will complete its hearing and make its determination on the alleged non-compliance as promptly as circumstances permit following the procedures outlined in 36.33.

## **36.33 Ethics Commission: Hearing Procedure**

- A. The Ethics Commission shall consist of the following three members:
  - 1. The Ethics Officer who shall be appointed by majority vote of the Board of Public Works and Safety and shall be subject to removal by the majority vote of the Board of Public Works and Safety. The Ethics Officer shall serve with or without compensation as determined by the Common Council. If the non-compliance situation involves the Ethics Officer, the City Attorney shall serve in his or her capacity. The duties of the Ethics Officer include but are not limited to the following:

- a. Investigate reports of possible unethical activity;
    - b. Coordinate ethics and compliance training programs;
    - c. Encourage city officials, appointees and employees to comply with applicable laws and regulations and adhere to the highest standards of ethical behavior.
  2. The Mayor. If the non-compliance situation involves the Mayor, the Common Council President shall serve in his or her capacity.
  3. The chair or president of the board, commission or committee of the alleged non-compliant person or next highest officer of the board, commission or committee if the alleged non-compliant person is the chair or president. In situations involving city employee other than a department head the employee's department head shall serve. If the situation involves a department head or member of the Common Council, the City Attorney shall serve.
- B. The Ethics commission shall conduct a hearing using the following procedure:
1. The Ethics Commission shall have the authority to pass rules of procedure as necessary and proper to carry out its duties.
  2. The affected party may request the presence of an attorney or other person during the hearing provided written notice to that effect is given at least five calendar days in advance of the hearing.
  3. A complaint alleging a violation of this section shall be made in writing and notarized. Complaints should be submitted to the Clerk-Treasurer who shall distribute copies of the complaint to the members of the Ethics Commission. The Ethics Officer, who shall serve as the Chairman of the Ethics Commission, shall notify the affected party that a complaint has been filed against him or her.
  4. If the Ethics Commission determines that there has been a violation of a federal or state statute, the Commission may immediately refer the complaint to the appropriate law enforcement agency or the Hancock County Prosecutor.
  5. In the event the ethics commission finds there is reason to believe there was non-compliance with this policy, the Clerk-Treasurer shall notify the affected official or employee within two business days after the determination has been made that a preliminary hearing will take place no

later than ten days from the date of the notice. The affected person may request a continuance of the hearing and if approved by the Commission, a date will be scheduled no later than 30 days after the original preliminary hearing date. The person accused of the violation shall have the right to examine evidence presented to the Commission. The only evidence to be considered must be given under oath or affirmation. The Clerk-Treasurer or City Attorney will be present to help assure personnel policies are adhered to.

6. If the Commission does not find that a violation of this section has occurred, the complaint will be dismissed and a written notice of the complaint dismissal shall be submitted to the affected official or employee. If the Commission has determined a violation of the policy has occurred it may recommend discipline or sanctions up to and including dismissal from employment with the appropriate office or position, or that the appointing authority consider removing the person in violation from the appointed position for just cause consistent with state law. A sanction may include a requirement that a gift or loan be returned.

## **36.34 General Provisions**

- A. All officials and employees shall receive a copy of this policy from the office of the Clerk-Treasurer within 30 day after its adoption or upon hire for new employees.
- B. An official or employee should address any inquiries as to the revisions or references made herein to the Ethics Commission in writing. The Commission shall respond in writing to any written request for an interpretation of a rule or regulation of this policy.
- C. In the event that the terms of this policy are in conflict with any federal or state law or ruling of a federal or state agency, the law, rule, regulation or ruling of the federal or state agency shall superseded the terms of this policy.
- D. This policy shall not prohibit an official or employee from being reimbursed for expenses receiving money as a campaign contribution, participating in collective bargaining or being paid for a service as a city or employee, or any other exception that may be provided by applicable state law or state rules and regulations or any ruling of a state agency.
- E. No official or employee shall represent a person, entity, or petitioner in any matter before the City of Greenfield, Indiana for a period of 90 days following termination of their duties or responsibilities with the city.

- F. The Ethics Commission is on required to meet in regular session after being presented with written complaint of alleged ethics non-compliance.

## **36.35 Behavior/Conduct**

### **A. Honest/Integrity**

1. To act with moral courage
2. To make decisions for the public's best interests, even when they may not be popular
3. Not engage in any business that would be, directly or indirectly, inconsistent with the conscientious performance of our public duties
4. To make no private promises of any kind that may unduly influence our public duties
5. To accept the responsibility to: (1) expose corrupt practices and/or behaviors and, (2) where empowered to do so, protect any public employee from retaliation who has exposed corrupt practices and/or behaviors

### **B. Respect/Civility**

1. To treat others as you would wish to be treated
2. To accomplish the goals and responsibilities of our individual positions, while respecting our role as a member of a team and the community at large
3. To act in a professional and responsive manner
4. To work together in a spirit of tolerance and understanding
5. To work to build consensus and accommodate diverse opinions
6. To communicate effectively by listening carefully, asking questions, and responding in a way that adds value to conversations
7. All citizens should be treated with respect and courtesy. Employees should not engage in arguments, debates, or lengthy discussions with private citizens regarding the City's policies, procedures, or services.
8. Any employee who feels he/she can not resolve the complaint from a private citizen should refer that individual to his/her Department Head.

### C. Accountability/Responsibility

1. Do not participate in any decision where we have a conflict of interest or from which our family, business, or professional associates may personally benefit
2. Do not use our positions, public property or public resources for the personal benefits of ourselves, our family or our business or professional associates
3. Never solicit or accept any favor or benefit for our family, our business, professional associates or ourselves that might be construed as influencing the performance or of our public duties
4. To make full public disclosure of the nature of any conflict of interest prior to any action taken.
5. To avoid disclosing or abusing the information that we gain by virtue of our position for the personal benefit of ourselves, our family or businesses or professional associates.
6. Do not engage in direct competition with our respective City while we are an employee, an appointed official, or an elected official.
7. To support the public's right to know the truth and encourage diverse and civil public debate in the decision-making process.

### D. Fairness/Justice

1. To promote non-discrimination in our decision-making for our respective City and to make decisions based upon the merits of the issue at hand
2. To recognize the function of government to serve the best interests of the citizens
3. To use our authority to promote the efficient and effective delivery of public services
4. To refrain from proposing services where adequate resources are not available
5. To work to remedy the imbalance where inadequate resources adversely affect the best interest of the citizens

6. Behavior inconsistent with the values set forth in this code may be subject of disciplinary proceedings up to and including termination.

## E. Grooming

When appropriate, a clean and neat appearance is required. (It is understood that some employees may become dirty during their work schedule. Every effort should be made to provide the community with a neat and clean appearance when possible.) Beards and hairstyles must be neatly kept and trimmed to instill public confidence and respect.

## F. Clothing/Attire

1. Greenfield is a place of business and employees should dress accordingly.
2. Greenfield provides some of its employees with uniforms. These uniforms are provided and maintained at no cost to the employee. It is required that all employees who are provided uniforms wear them when they are on duty unless otherwise directed by their Supervisor.
3. If not dressed in clothing provided during a work period, the employee shall be sent home to dress in work clothes.
4. The employee will not be paid while traveling to and from home to change into work attire.
5. Police and Fire Departments must refer to their department SOP's pertaining to uniform policies.
6. All clothing allowances will be taxed according to IRS rules and included on the employee's W-2.
7. All employees' clothing attire must follow OSHA laws and regulations.

## G. Employee Fitness for Duty

The City has a strong commitment to provide a safe and healthy environment for its employees.

1. All employees must be able to perform his/her job duties. Any employee deemed unfit to perform such duties will be subject to a written reprimand up to and including being sent home for the day. Discipline for the same infraction may be cause for disciplinary action up to and including dismissal.
2. Fitness for duty will be determined when reasonable suspicion exists that the employee is unfit to continue working. When an employee's appearance,

behavior, speech, or body odors indicates he/she may have an illness, drug or alcohol use, or other health related issues which could affect the entire staff or the employees ability to perform his/her duties he/she will be disciplined or sent home according to this policy. Such observations must be personally observed and documented by at least one supervisor. This supervisor will use his/her best judgment to determine whether disciplinary action or merely sending the employee home is required.

3. An employee is obligated to notify his/her immediate Supervisor when reporting for duty or in the course of work, if the use of any substance, even if medically required, may adversely affect his/her ability to satisfactorily perform his/her normal job.

## H. Behavior

1. Employees shall always treat the public with respect and are expected to adopt a friendly, courteous, and service oriented attitude towards the public.
2. The possession or use of a firearm, ammunition, or other deadly weapons on City property or while on duty by City employees who are not authorized is strictly prohibited.
3. Personal telephone calls are acceptable, but should be limited. Receiving personal telephone calls at work shall be limited as much as possible. (Please inform family/friends concerning this policy). When telephone calls are necessary, please try to limit length of the call. No personal long-distance calls may be made without the Supervisor's authorization. All personal long distance calls shall be reimbursed to the City by the employee.
4. Use of personal cells phones during working hours shall not interfere with the employee's regular duties and should be kept to a minimum.
5. Use of the City's internet system for personal use shall be limited. Employees should check with their Department Head for the limitation of their respective departments.
6. Fighting, immoral acts, threats, intimidation, or similar behavior aimed at the public or other employees will not be tolerated.
7. Visits from family and friends while on duty should be limited.

8. While not everything can be listed, you should remember that your behavior should reflect the fact that you work for the public and that your behavior could negatively affect the people you meet.
9. Department Heads may have additional behavior policies not referred to in this manual.

#### I. Late Arrival

1. Late arrival on a regular basis is inexcusable and will not be tolerated. Late arrival is defined as any situation where an employee reports to work after his/her scheduled starting time.
2. In addition, if an employee is late, that employee may be subject to appropriate disciplinary action.

#### J. Outside Employment

1. Employment “conflicts,” as set forth in this policy, are when a second job impairs the employee's ability to perform the duties of his/her position.
2. Full-time employment by the City shall be considered the employee's primary occupation, taking precedence over all other occupations. “Outside” employment, or moonlighting, shall be a concern to the Department Head only if it adversely affects the job performance of the employee's City job.
3. Should the Department Head feel that an employee's outside employment is adversely affecting the employee's job performance, the Department Head may recommend, but may not demand, that the employee refrain from such activity.
4. However, any conflict, policy infractions, or other specific offense which is the direct result of an employee's participation in outside employment will subject the employee to discipline or discharge, in a manner that is otherwise consistent with the policies set forth in this manual.

## **36.36 Progressive Disciplinary Policy**

All employees are expected to perform their duties in a competent, efficient, and professional manner. Further, employees are required to act courteously and cooperatively with their fellow employees, Supervisors, and the public. When employee conduct falls below these standards, disciplinary action may be warranted.

In order to promote the common good and welfare of the City and its employees, the City has established rules of conduct. The commission of any of the acts listed below will result in disciplinary action ranging from verbal or written warnings to suspension or to immediate discharge depending on the act and the circumstances.

“Notwithstanding any provision contained herein, for the purpose of imposing discipline in accordance with the provisions set below a disciplinary action that has occurred more than ten (10) year prior to the event precipitating the current disciplinary action, shall not be considered in determining the nature and extent of the current disciplinary action to be taken unless the prior disciplinary event is of a similar type and/or nature as the one being considered.”

This list is not exhaustive:

### ***36.35a Group I Rules***

If a violation of a Group I rule occurs, the Department Head/ Assistant will use the following procedures:

- Step 1. Corrective interview, confirmed in writing
- Step 2. Continued violation of any Group I rule within a 12 month period may subject the employee to up to 3 days suspension without pay.
- Step 3. Continued violations of any Group I rule, following a disciplinary suspension may be subject to discharge. (Pending review by an Elected Official hearing.)

The following list provides examples of disciplinary violations. (This is not intended to be an exhaustive list.):

1. Excessive tardiness or absence
2. Leaving City premises during working hours without permission
3. Failing to report absence within one-half (1/2) hour of starting time
4. Unprofessional behavior while performing job duties
5. Neglect of duty and/or failure to perform assigned duties
6. Failure to follow established work procedure and policies
7. Horseplay or use of machinery, equipment, or tools in a hazardous manner
8. Creating or contributing to any unsanitary condition
9. Unauthorized use of bulletin boards
10. Posting notices in unauthorized places
11. Restricting one's own production or interfering with the production of other employees
12. Conducting personal business on City time
13. Violating safety regulations

14. Failing to make an immediate report of an occupational injury
15. Fighting or committing an assault
16. Failure to report an accident while on City time
17. Failure to report a traffic ticket while driving a City vehicle
18. Smoking in restricted areas

### ***36.35b Group II Rules***

Any violation of a Group II rule, will result in the employee being relieved from duty with pay and may be subject to discharge pending a Board of Works hearing. Examples of Group II disciplinary actions include, but are not limited to the following:

1. Absence without notification for three or more consecutive workdays
2. Failing to return from leave of absence as scheduled; Improper use of accident leaves or extended disability leave benefits.
3. Insubordination
4. Possessing firearms, weapons, explosives, and so forth, on the premises or in City vehicles (With the exceptions of authorized personnel)
5. Disclosure of confidential City information to outsiders without proper authorization
6. Completing another employee's time record or allowing another to complete one's time record
7. Loafing, loitering, or sleeping on the job
8. Mistreatment of members of the public, fellow employees or Supervisory personnel or blatant disrespect of fellow employees, Supervisor or citizens
9. Using abusive or threatening language
10. Sexual harassment
11. Unwanted physical contact
12. Using, selling or being under the influence of illegal substance or controlled substances not prescribed by a physician
13. Disorderly, offensive, or illegal conduct
14. Falsifying any City records or employment application
15. Stealing or committing any criminal offense on City property or while on duty
16. Damage to or improper use of City property either willfully or through gross negligence.
17. Intentional making of scrap or waste
18. Unauthorized use or possession of City Property
19. In certain Departments, felony conviction may lead to termination

At the discretion of the Elected Official, Board of Works, Police, and Fire Boards, the employee's disciplinary history may be considered when addressing disciplinary matters.

## 36.37 Employee Appeal

- A. In the event that disciplinary action must be taken against an employee, it will be for just cause and normally in a progressive manner in an attempt to correct an employee's behavior, except in those cases of gross or serious misconduct where an employee may be subject to suspension, reduction, or removal from employment for violation of Group II rules.
- B. In cases of possible suspension without pay, reductions in pay or position, or termination, an employee shall be notified of the charges in advance and be afforded the opportunity to present evidence and witnesses on his/her behalf before disciplinary action. Said hearing will be before the Elected Official. The employee may also be represented by third party if so requested.

## 36.38 Grievance Procedure

- A. It is inevitable that misunderstandings and differences will arise when employees of the City are working together on a day-to-day basis. In order that employees have a formal process in which to have their problems and questions heard and appropriately resolved in a timely manner, the following grievance procedure is hereby established:

**Step 1:** The employee will submit a written grievance to his/her Immediate Supervisor within three (3) working days of the action's occurrence. The grievance must be signed and dated by the employee. The Immediate Supervisor shall meet with the employee and make every effort to resolve the grievance within three (3) working days of the date of the presentation of the grievance.

The Immediate Supervisor will respond in writing to the employee within three (3) working days of the informal review outlining his/her decision regarding the requested remedy.

**Step 2:** If the grievance has not been settled in Step 1, a written appeal shall be prepared in detail, dated, and signed by the employee, and presented to Board of Public Works & Safety or appropriate Board within three working days after the receipt of the Immediate Supervisor's reply from Step 1.

Upon receipt of the written appeal and a copy of the Supervisor's response, the Board of Works shall attempt to resolve the grievance and reply in writing within five (5) working days of the date of presentation of the written grievance.

**Step 3:** A hearing may be held with the appropriate governing board if requested by the employee. The employee and Department Head shall appear at such hearing along with any other persons having relevant information as to the matter. A detailed investigation will follow and the Board shall issue a final decision within 10 (ten) working days of the date of presentation of the written grievance. The appropriate governing board's decision will be final and binding. The time limits in the grievance procedure may be extended by mutual written agreement of the parties due to extenuating circumstances.

B. A grievance shall be considered resolved if, at any point, the grievant withdraws his/her grievance in writing or fails to process the grievance within the specified time limits. Any grievance not answered by the designated Department Head at any Step shall be considered to have been answered in the negative and may be taken to the next Step by the grievant in accordance with the procedures above.

## **General Policies**

### **36.39 Travel and Expense Reimbursement**

- A. An employee may be reimbursed for mileage at the federal government mileage rate for the use of privately owned automobiles for official business. However, such reimbursement may be made only if the employee carries motor vehicle liability insurance as required by law, and demonstrates proof.
- B. An employee must file all receipts on appropriate forms. Employee must state origin and destination of each trip in sufficient detail to account for the mileage claimed. No reimbursements are payable for travel between home and office. Travel expense reports, which include travel expenses, incurred more than thirty (30) days before the voucher date must be accompanied by a letter of explanation detailing the reason.
- C. If using a City credit card, claims and receipts must be turned into the Clerk-Treasurer within seven (7) days of the trip.
- D. Personal expenses incurred in traveling are not reimbursable, including but not limited to, personal telephone calls, laundry, entertainment, and alcoholic beverages.
- E. All meal receipts must show itemization of purchase.
- F. According to IRS regulations, while traveling on business, unless employee has overnight accommodation, meals will be taxable.

## 36.40 Health/Safety

- A. In accordance with the Occupational Safety and Health Act of 1970, Greenfield has established that, as a matter of policy, a safe and healthful workplace shall be provided for all employees. The Elected Official has the ultimate responsibility and authority for compliance with the federal and state laws pertaining to Occupational Safety and Health.
- B. Each employee is to work in a safe manner, and observe the safety procedures as instructed by his/her Supervisor.
- C. Any employee who has a valid prescription for a Narcotic and is required to take the medication during work hours is required to inform his/her Supervisor of the prescription. This employee will not be allowed to operate a City owned vehicle or heavy equipment.
- D. Any accident hazards or unsafe conditions of equipment are to be corrected or reported to the employee's Department Head immediately, who will then notify the Clerk-Treasurer. The Clerk-Treasurer has been designated as the central point of contact for OSHA/IOSHA issues. Nothing in this appointment shall reduce the responsibility or authority of Department Heads, Managers, and or Supervisors from the effective and ongoing performance of OSHA/IOSHA.
- E. If an employee is involved in an accident while working, or witnesses an accident by another employee, it is to be reported immediately to the Supervisor for his/her action.
- F. Workers' Compensation forms will be filed for all injuries. All Department Heads or their designee will file their report, on behalf of the employee, within twenty four (24) hours of the accident. The degree of injury does not matter. If the employee has complications later, a properly completed form will allow the treatment to be covered by Workers' Compensation.
- G. If an employee is injured and is physically unable to complete the balance of the workday, he/she shall be paid for the remainder of that day. Further absence may require the employee to apply for benefits pursuant to Workers' Compensation.
- H. The City's compliance with applicable OSHA/IOSHA laws, standards, policies, etc. shall be monitored, and documented by the Clerk-Treasurer.

## **36.41 Material Data Safety Sheet**

- A. The City of Greenfield will maintain and utilize appropriate material safety data sheet on any products, chemicals, or substances used in the community that is required by federal law.
- B. In case where an employee may come in contact with said substance and medical treatment is necessary, a copy of the material safety data sheet will accompany the employee to the medical facility.

## **36.42 Blood Borne Pathogens**

All departments within the City may have occupational exposure to blood or other potentially infectious material.

- A. Universal precautions will be observed at the City in order to prevent contact with blood or infectious materials. All blood and potentially infectious material will be considered infectious regardless of the perceived status of the source of the individual.
- B. Employees should not compress trash in waste cans, as it would be easy to be stuck by a needle or other sharp object. Employees should also not place their hand on the bottom of trash bags for support as they could be stuck by sharp objects in the bag. Employees should examine the bags before picking them up to be sure there are no sharp objects sticking out of the bag.
- C. Hand washing facilities are also available to employees who incur exposure to potentially infectious materials. Employees should wash as soon as possible.
- D. Protective gloves should be worn whenever possible.
- E. When performing CPR, proper face guards must be used.
- F. Do not reuse gloves, face guards, or other protective equipment.

## **36.43 HIPAA Privacy**

- A. The HIPAA Privacy Rule (Standards for Privacy of Individually Identifiable Health Information) provides national standards for protecting the privacy of health information. The Privacy Rule regulates how certain entities, called covered entities, use and disclose certain individually identifiable health information, called protected health information (PHI). PHI is individually identifiable health information that is

transmitted or maintained in any form or medium (e.g., electronic, paper, or oral), but excludes certain educational records and employment records.

- B. Protected Health Information Privacy Rule protects certain information that covered entities use and disclose. This information is called protected health information (PHI), which is generally individually identifiable health information that is transmitted by, or maintained in, electronic media or any other form or medium. This information must relate to 1) the past, present, or future physical or mental health, or condition of an individual; 2) provision of health care to an individual; or 3) payment for the provision of health care to an individual. If the information identifies or provides a reasonable basis to believe it can be used to identify an individual, it is considered individually identifiable health information.
- C. The City of Greenfield will maintain the employee's health and medical records in accordance with the requirements of HIPAA.

## **36.44 Smoking Policy**

- A. All employees shall abide by the provisions of the Hancock County Ordinance NO. 2008-12G and any amendments thereto. In addition, no employee or city official shall smoke in any owned or leased vehicle when it is occupied by more than one person.

## **36.45 Tools/Equipment and Vehicles**

- A. Employees are prohibited from using and loaning City vehicles, materials, tools, equipment, and labor for personal or private use regardless of whether it is during work or non-work time.
- B. Employees may not expend labor during scheduled work hours for work not related to City business. This prohibits any employee from performing private work for himself, another employee, or a non-employee.
- C. Use of City Vehicles: Any employee of the City who is required to operate a City vehicle in the course of their employment shall be subject to the following conditions and restrictions:
  - 1. Annual record checks at the Bureau of Motor Vehicles
  - 2. Use of seat belts by all occupants
  - 3. Reassignment or other appropriate personnel action in the event of license revocation, suspension, or arrest for a DUI

- D. Employees who are required to operate City vehicles during the course of their employment must immediately report any condition that adversely affects their ability to operate such vehicle(s) and/or equipment.
1. Must be able to meet insurability standards/requirements of the City's liability insurance provider
  2. Maintain a valid driver's license
- E. In addition, employees must use assigned City vehicles, when available, for the purpose(s) authorized. Reimbursement for necessary emergency road service and repairs, parking, and highway-related tolls require appropriate receipts for reimbursement.
- F. In the event of an accident, employees must do the following:
1. Assist any injured party if possible and call 911
  2. Do not move any vehicles unless instructed to do so by proper police authority.
  3. Write down all pertinent facts such as the other driver's name, address, telephone number, license plate number, driver's license number, social security number, name of City's insurance policy and number, name, address, and telephone number of any injured party or witness.
  4. Do not admit any fault or make any oral or written statements but give your name, address, telephone number, etc., as required.
  5. Notify the Supervisor and submit a written report as soon as possible.
  6. Supervisors must report all accidents to the Clerk-Treasurer.
- G. No take home vehicle shall be used for personal use and no unauthorized passengers are allowed to ride in a City vehicle.
- H. Employees of the City who are assigned a City vehicle for duty to domicile travel are subject to Internal Revenue Service rulings regarding such usage. The use of such a vehicle for commuting is considered by the IRS to be a taxable benefit. A value must be established and the total annual amount reported to the IRS on each employee's W-2 Form.

## **36.46 Solicitation and Distribution**

- A. Non-employees of the City who intend a solicitation and distribution visit to the interior premises of the City's facility shall give the Elected Official and/or

Department Head not less than twenty-four (24) hours notice of each visit. Such notice shall be accompanied by a list of persons intending access and a designated time. All solicitation and distribution activity by non-employees shall be confined to non-work time and in non-work areas designated by the City and must not jeopardize health and safety. Exceptions to this are at the sole discretion of the Elected Official and/or Department Head and may include such persons as suppliers, vendors, and manufacturer's representatives who make regular visits with the continuing knowledge of the Elected Official and/or Department Head.

- B. The Elected Official or Department Heads may regulate any solicitation and distribution activity by any employee or non-employee, which disrupts or interferes with the normal work of the City on its premises or in areas under the operational control of the City.

## **36.47 Confidential Information**

In the course of employment with Greenfield, an employee may have access to information, which is confidential, including, but not limited to, information about any new City projects, accounting records, personnel records, the community, and their families. Employees shall not use, disclose, or divulge the confidential information, to any third party, without prior authorization.

## **36.48 Hours of Work**

- A. The City shall establish the standard workday, workweek, and starting and quitting times for each department, taking into account current and anticipated workloads, public service needs, and other factors. The standard workweek will be based upon a 35-hour workweek, with exceptions of Police and Fire Departments, in accordance with State Statute. No established schedule shall be construed as a guarantee of work hours or as a restriction of the City's right to restructure the workday or workweek.
- B. Records will be maintained showing which hours were worked each day by all employees of the City. All time records will be signed by the Department/Elected Official. Department Heads shall keep record of their days worked.
- C. The City is open for business Monday through Friday, 52 weeks a year unless there is a scheduled holiday. Employees should contact their Department Head for the hours of operation for their Department.
- D. The hours of work, including the workday, workweek, and work shift, for all employees shall be as established by the Elected Official/Department Head.

- E. Subject to the discretion of the City, employees may be authorized to take break periods each full working day. Such breaks shall not interfere with the proper performance of the employee's work responsibilities, will be set by the Elected Official/Department Head, and are subject to change.
- F. Operational needs and/or emergencies, however, may necessitate the establishment of other work hours, days, or weeks on a temporary or permanent basis.
- G. Lunch period: Employees will be granted a non-paid lunch period not to exceed one hour in length.
- H. There are times when employees may be called into work during an emergency. If you have been drinking alcoholic beverages or taking prescription narcotics and should not be driving City vehicles, please inform the Supervisor at the time you are called.
- I. If it appears that a weather emergency is imminent, you may voluntarily contact your Supervisor to see if your services are needed.

## **36.49 Weather/Civil Emergencies**

It is the policy of the City of Greenfield to provide normal services during the event of a weather emergency to the maximum extent possible, while ensuring the greatest possible safety to employees and citizens, and to provide the fullest obtainable staffing levels during such an emergency.

- A. **Weather/Civil Emergency:** A weather condition, which causes the Mayor or individual designated by State law, to declare a state of emergency, such as snow, flood, tornado, etc.
- B. **Critical Service Employee:** Those employees who are employees of any public safety department, (i.e. Police and Fire), and those employees of departments that render services to the public, ensuring its safety, directly contributes to the City's emergency operations designed to combat the specific emergency situation at hand, and/or ensures continued essential public service.
  - 1. Critical Service Employees are expected to report for their regular shift assignment during a weather/civil emergency, without exception, unless the Department Head has contacted employees personally, with alternate instructions.

2. Critical Service employees may use personal time, however, the request may be denied with no recourse available to the employee except to report to work for his/her regular shift.

C. Non-Critical Service Employees: Those employees of a department who render services determined to be non-critical in case of emergency.

1. Non-Critical Service Employees are expected to report for their regular shift assignment during a weather emergency, unless the following occurs:
  - a. The Mayor or his/her designee issues a media broadcast statement to the contrary requiring that citizens are to remain off City streets.
  - b. The employee's Department Head or Elected Official contacts the employee prior to the start of his/her shift with alternate instructions.
  - c. Employees covered in the subsection will receive regular pay for not reporting for work only if instructed to remain at home. If the employee chooses to stay home by his/her choice, for whatever reason, he/she will not be paid for the day but will be allowed to utilize accrued time.
  - d. Failure to comply with the provisions of this policy may subject the employee to disciplinary action as deemed appropriate by his/her Department Head or Elected Official.
  - e. All employees are subject to call to duty at reasonable times and must respond to emergency call, unless physically unable to do so.

## **36.50 Computers, Internet and E-Mail, Cell Phones**

All Greenfield employees have a responsibility to use the electric media provided in a manner, which both enhances the image of the City and is productive in its service and operation.

This section applies to all City employees, not subject to a prior agreement or contrary to provisions of law.

- A. Contracts and licenses with software program providers define the limits of software and hardware program use. Employees are forbidden to use any software or hardware contrary to the provisions of these contracts and licenses. The City provides the software and hardware programs that are anticipated to be needed by employees in performing their job responsibilities. If any employee believes that he/she needs additional software or hardware programs, he/she should consult with his/her Department Head who will inform the Information Technology Director. Employees shall not copy or install any software program or hardware of

any kind on the City's electronic media or any part thereof without the prior authorization from his/her Elected Official or Department Head.

- B. Authorized employee will be allowed to utilize the internet and email for limited personal use during breaks and/or lunch periods. Employees shall not visit pornographic sites, sites that promote or permit gambling or wagering, or sites that promote the violent overthrow of federal, state, or local governmental institutions or suggest methods to create bombs or other devices capable of producing physical harm or property damage. Violation of this policy will be subject to discipline up to and including discharge.
- C. Employees are strongly encouraged not to use personal or City cell phones while operating City equipment.
- D. Personal phone calls on City cell phones must be reimbursed per current city policy. Personal phone calls on City cell phones must be kept to a minimum.

## **36.51 Handling Citizens' Questions and Complaints**

- A. All citizens should be treated with respect and courtesy. Employees should not engage in arguments, debates, or lengthy discussions with private citizens regarding the City's policies, procedures, or services.
- B. Any employee who feels he/she can not resolve the complaint from a private citizen should refer that individual to his/her Department Head.

## **36.52 Political Activity**

- A. Employees shall not participate in any partisan or non-partisan political activity while on-duty or off-duty in a uniform required by, used by, or identified with any department of City government.
- B. Employees may not use municipal vehicles for any partisan or non-partisan political activities.
- C. Any municipal employee found violating any provisions of this policy is subject to reprimand, suspension, or dismissal from City employment.

## 36.53 Definitions:

- A. City: The City of Greenfield
- B. Solicitation: as used in this policy includes, but is not limited to, any act which requests, urges, or seeks to induce an employee to give or obligate him/her to pay money for any cause, or for any reason or to sign any document indicating membership in any obligation, association, or group, or indicating support for or a pledge to any such organization, association, or group
- C. Employee: any person in the employ of the City in any status
- D. Distribution: as used in this policy includes the passing out of any type of literature, advertising, handbills, circulars, forms, or any other memorabilia
- E. Work Area: as used in this policy includes, but is not limited to, offices, work sites, locations, conference rooms, common areas, and corridors leading directly thereto, and such other areas, which are essential to the performance of an employee's duties
- F. Non-Work Area: any area on or off the City's premises not designed as a work area
- G. Work Time: as used in this policy includes, all of the time when an employee's duties require that he/she be engaged in work tasks, but does not include the employee's own time such as meal periods, scheduled breaks, and time before or after a work shift
- H. Non-Work Time: as used in this manual includes, any time during an employee's workday where the employee is completely relieved of work duties, such as break time and lunchtime. Whether an employee is in paid or unpaid status during these times is immaterial to the designation of non-work time
- I. Salaried: Employee paid a predetermined amount of compensation bi-weekly based upon a thirty five (35) hour work week
- J. Hourly: Employee paid an hourly rate weekly based upon a thirty five (35) hour work week
- K. Exempt: Employee classified as Executive, Administrative, or Professional according to provisions of the Fair Labor Standards Act (FLSA), plus any Elected Official. These individuals are not subject to the overtime payment requirements of the FLSA. Due to the nature of their work, these employees are expected to have flexible working hours, which may exceed forty-(40) hours per week. These individuals should not expect to receive overtime pay or formal compensatory time for such.
- L. Non-Exempt: All employees that do not meet the Fair Labor Standards Act (FLSA) exempt provision, these individuals will be eligible for overtime and or compensatory time off.

**36.54 Ordinance -2008-OR-**

# **Greenfield Employee Benefit Section**

## **Wage and Hour Section**

### **36.55 Payroll**

- A. Payroll is paid on a bi-weekly basis. All required deductions shall be made according to the law.
- B. All non-elected office personnel will be required to maintain a time sheet. All time sheets must be authorized and signed by the Elected Official/Department Head.
- C. Straight time will be paid to hourly employees 40 hours or less per workweek. Employees will be paid straight time pay for hours worked in excess of 35 hours until he/she reached 40 hours.
- D. Work performed by hourly employees in excess of 40 hours per week will be considered overtime and will be paid at the rate of time and one-half the employee's regular rate of pay for hours actually worked over 40 hours. Benefit hours (vacation, comp time, holidays, and personal days) are considered time worked for computing overtime.

### **36.56 Direct Deposit**

- A. All employees of the City of Greenfield are required to have their payroll check direct deposited into the bank facility of their choice.
- B. Before an employee will receive a pay check, he/she must provide a direct deposit form to the Clerk-Treasurer's Office.

### **36.57 Over Time**

- A. Elected Officials and Department Heads (exempt employees) are not eligible for overtime pay.
- B. Any employee may be required to work in excess of the normal workday or workweek to meet operational demands. Overtime will be paid under the guidelines set out by the FLSA (Fair Labor Standards Act) and paid accordingly. Eligibility for overtime shall be based upon all hours in "active pay status."

- C. Overtime is generally discouraged and is usually performed only when the Supervisor determines it is necessary. All overtime must be approved by the employee's Supervisor in advance, except in unusual or emergency situations.
- D. Exempt employees are not subject to the overtime payment requirements of the FLSA due to the nature of their work. These employees are expected to have flexible working hours, which may exceed eight (8) hours in a day. These individuals should not expect to receive overtime pay or formal compensatory time for such.
- E. Non-exempt employees of the City (see provisions of the Fair Labor Standards Act (FLSA) shall receive overtime pay (or compensatory time off in lieu of overtime payment) for all time authorized and actually worked in excess of forty (40) hours per week at a rate of one and one-half (1½) times the employee's hourly base rate of pay. (For purposes of calculation of overtime, personal time, comp time, holidays, and paid vacation leave shall be included as time worked).
- F. Non-exempt employees of the City may alternatively decide, per agreement between City and employee, to receive compensatory time off for overtime hours worked in lieu of overtime.
- G. Upon termination of employment, the non-exempt employee is entitled to receive payment for accrued and unused compensatory time at the regular hourly wage rate in effect at the date of termination.
- H. Police and Fire Departments should refer to their policy concerning overtime.

## **36.58 Compensatory Time**

- A. Elected Officials and Department Heads are not eligible for Compensatory time.
- B. Any employee who agrees to receive compensatory time off in lieu of over time must complete a compensatory time agreement form. The Department Head should contact the Elected Official's office to get a comp time agreement form.
- C. Compensatory time should be kept to a minimum.
- D. Non-exempt employees of the City (see provisions of the Fair Labor Standards Act - FLSA) shall receive compensatory time off in lieu of overtime payment for all time authorized and actually worked in excess of forty (40) hours in a work week at a rate of one and one-half (1½) times the employee's hourly base rate of pay. (For purposes of calculation of comp time, personal time, holidays, and paid vacation leave shall be included as time worked).

- E. Non-exempt employees can take compensatory time off after proper request has been submitted and approved by the employee's Supervisor or Department Head. Compensatory time must be used within six months from the pay period in which it was accrued. In cases where the compensatory time off cannot be scheduled within the six months, he/she will be granted the time off as soon as possible.
- F. The City may, at any time, choose to pay out all compensatory time to the employees. The employee may request at any time to have all or part of their accumulated compensatory time paid to them, but at no time may an employee have accrued compensatory time in excess of thirty-five (35) hours. All accrued compensatory time over thirty-five (35) hours shall be paid to the employee at the end of the next ensuing pay period with exception of shift Fire Department Personnel, which is to be set at a minimum of 48 hours accrued compensatory time.

## **36.59 Flex Time**

- A. The City may utilize “time-off” or flexible hours in order to avoid having employees work in excess of forty (40) hours in a work week.
- B. The Department Head must approve flextime scheduling.
- C. Flex time is paid as time for time.
- D. Flex time must be taken within a forty (40) hour pay period if possible.

## **36.60 Pension Plan**

- A. All full-time employees are covered by the Public Employees Retirement Fund (PERF). Membership will become automatic upon employment. Employees are required by state law to contribute 3% of their gross wages (regular and overtime pay) to their annuity saving account.
- B. See PERF policy for further details.
- C. Police and Fire officers are under plans as approved by the State of Indiana.

## **36.61 Garnishments**

A court ordered legal claim against the wages of an employee by a creditor for nonpayment of a debt by legal authority is a garnishment and shall be recognized and

executed by the City. When a garnishment is received for an employee, the Clerk-Treasurer's office will notify the employee.

# **Holidays/ Vacations/Leaves**

## **36.62 Holidays**

All full time employees are entitled to paid holidays: (Subject to change yearly)

- A. Paid holidays shall be determined on an annual basis by the Mayor and announced late in the prior year.
- B. Any hourly full time employee who is called in or scheduled to work on Christmas or Thanksgiving, shall be compensated at 1 ½ times their regular rate of pay for all hours worked.
- C. In observance of each authorized holiday, full time and part time employees will normally be granted the day off from work. Only full time employees shall receive straight time holiday pay for each authorized holiday. Due to the emergency areas covered by the City, some areas are required to work holidays.
- D. If a holiday occurs while an employee is on vacation, such vacation day will not be charged against his/her vacation leave.
- E. Employees must be in a paid status the day before and the day after a holiday in order to be paid for the holiday.
- F. An employee scheduled to return from a non-paid leave on the day after a holiday will not be paid for the holiday. An employee whose leave without pay is approved through the end of the last business day preceding a holiday is also presumed to be on leave during the holiday, and will not receive compensation for the holiday.

## **36.63 Vacation**

A full time employee shall be entitled to annual vacation leave with pay according to:

- A. Length of Service & Vacation Benefit
  - 1. After one (1) year of employment, the employee will receive five (5) days of vacation.
  - 2. After two (2) years of employment, the employee will receive ten (10) days of vacation per year through five (5) years of employment.
  - 3. After six (6) years of employment, the employee will receive fifteen (15) days of vacation.

4. After fifteen (15) years of employment, the employee will receive twenty (20) days of vacation per year.
  5. After twenty (20) years of employment, the employee will receive twenty-five (25) days of vacation per year.
- B. Employees begin earning vacation on their hire date.
- C. Vacation leave is credited for all continuous service in active pay status. Vacation is not earned while an employee is in a non-paid status (i.e. leave of absence without pay, disciplinary suspensions, and disability leave under unpaid Family and Medical Leave).
- D. Vacations are scheduled in accordance with workload requirements of the individual department or office. For this reason, it is essential that vacation requests be made at least one (1) week in advance of the proposed starting date. Elected Officials/Department Heads have the authority to approve or deny vacation requests.
- E. Vacations can not be carried over to the following year unless approved by the Board of Public Works with the following exception:
1. Because some employees are hired late in the year, vacation leave can be carried over into the first ninety (90) days of the following year after their 1<sup>st</sup> anniversary only.
- F. If an employee resigns and leaves in good standing on or after January 2<sup>nd</sup> of that year, after giving proper notice, he/she will be paid for any unused vacation days.

## **36.64 Bereavement Leave**

- A. Bereavement Leave must be arranged with the appropriate Elected Official/Department Head through a written request. This must be done as soon as practical. The request must be executed by the employee. It must state the relationship between the deceased and the employee and the length of time needed for the requested absence.
- B. All regular, full-time Fire Department employees will be granted a paid leave of three (3) consecutive work days and all regular, full-time employees will be granted a paid leave of five (5) consecutive work days in the event of a death in the employee's immediate family. The employee's immediate family for the purpose of this section shall mean an employee's spouse, child, step-child or parent.
- C. All regular, full-time employees will be granted a paid leave of three (3) consecutive work days in the event of the death of employee's grandparent, grandchild, sibling,

step-parent, step-grandchild, half sibling, corresponding in-laws, uncle, aunt or other resident of the household of the employee.

- D. In the event of the death of a family member not in the immediate family, an employee should use personal time.
- E. It is the intention of the City that its bereavement or supplemental thereto. If the provisions of the Policy conflict with the Family Medical Leave Act, the FMLA provision shall control.

## **36.65 Court Leave**

- A. If an employee is called for court jury duty or subpoenaed to testify in a court of law during any portion of the employee's regular scheduled working day, that employee shall continue to receive his/her full City pay but any compensation received for jury duty will be submitted to the Clerk-Treasurer for credit to the proper City account.
- B. The employee must provide the Elected Official/Department Head written documentation of court appearance/jury duty.
- C. The employee will be expected to report for work following jury duty, if a reasonable amount of time (two (2) hours or more) remains during his/her scheduled workday. If any employee is called for court jury duty or subpoenaed to testify in a court of law, outside of his/her regularly scheduled working hours, all compensation received for such court service shall be retained by the employee.
- D. The City will not reimburse employees when appearing in court for criminal or civil cases, when the case is being heard in connection with the employee's personal matters, such as traffic court, divorce proceedings, custody, appearing as directed with a juvenile, etc unless the employee utilizes unused vacation, personal, or compensatory time.

## **36.66 Personal Time Off (PTO)**

- A. On date of hire, new full time employees will earn one (1) Personal Time Off day leave each month not to exceed ten (10) days.
- B. On January 2<sup>nd</sup>, after the employee's hire date, the employee shall receive ten (10) PTO days.

- C. Unused PTO days can be carried forward to future years until the employee reaches the maximum credit of 100 days. Or in the case of the Fire Department employees, a maximum of fifty (50) days.
  - 1. For each day accumulated in excess of fifty (50) for Fire Department employees and one hundred (100) days for other employees, the City will “buy back” the excess days at the employee’s present base rate of pay.
  - 2. The annual ‘buy back’ amount shall be calculated by the Clerk-Treasurer, approved by the Board of Works, and paid to the employee in January of the following year.
- D. The employee or someone on his/her behalf shall notify in the above order the absence of the employee as soon as possible prior to the scheduled hours of work. It is preferred that the call be made at least one hour prior to the employees starting time.
- E. Prior notice of PTO leave should be given, if possible, to the employee’s Department Head.
- F. An employee who transfers from one department or office of the City to another shall be permitted to take his/her accumulated personal leave with him/her.
- G. Upon termination, resignation, or retirement, unused PTO leave will be forfeited.

## **36.67 Military or Reserve Service**

- A. Reserve Training: I.C. Sections 10-5-8-1, 10-5-8-2, and 36-8-5-8 require that Indiana National Guard, Defense Corps, Naval Militia, and all U.S. Armed Forces reserve component members be authorized up to fifteen (15) working days leave with pay per calendar year for training purposes.
- B. Along with requests for such leave, employees are required to submit the published order authorizing the military duty or a written statement from the appropriate military commander authorizing such duty. Employees requesting such leave will also be required to complete the necessary leave papers.
- C. Active Duty: A permanent employee who is drafted or is called for active duty in the Armed Forces of the United States, the Coast Guard, Public Health Service, Civil Defense, or is drafted in the Merchant Marine Service, shall (in accordance with existing law) be entitled to reemployment after honorable discharge or discharge under honorable conditions from such services, provided the employee is physically and mentally able to do the work required and reports for work within ninety (90) days of such discharge, or within ninety (90) days after he/she is released from hospitalization continuing after discharge for a period of not more than one (1) year. He/she shall be

employed in the position or a similar position to the one held at the time of entry into Military Service. All salary adjustments or position upgrades shall be granted to the employee upon reinstatement. In the event his/her former job no longer exists, the employee shall be employed in a capacity for which he/she is qualified at a salary comparable with the one he/she formerly received.

- D. Employee's current medical insurance benefits only, will continue while employee is on active duty. Employee will not accrue vacation, personal, or sick time during active duty.

## **36.68 Leave of Absence Without Pay**

- A. Leave of absence must be requested in writing and may be granted to employees with the written approval of the Board of Public Works. Leave of absence may be granted for a period of up to six (6) months and will be unpaid.
- B. During a leave of absence, the employee may retain his/her group insurance policy, but it will be the responsibility of the employee to pay the full group rate after 90 days. During the leave, the employee will not accrue time, nor will he/she be eligible for any other benefits set out herein. The employee is covered under health benefits for the first ninety-(90) days of leave.
- C. An employee on an approved leave must notify his/her Elected Official of his/her intent to return to work at least two weeks in advance. The City will make every effort to place the employee in a comparable position and pay upon his/her return to work. However, there is no guarantee of being placed in the exact vacated position. The returning employee will be considered for open positions available upon his/her return. The returning employee will not be allowed to displace another employee. Failure to report for a work assignment at the designated return date specified will result in termination unless an extension is requested and approved.

## **36.69 Family Medical Leave Act (FMLA)**

- A. The Family and Medical Leave Act of 1993, enacted February 5, 1993, allows for "eligible" employees to request and, if approved, receive up to a total of twelve (12) weeks of unpaid leave. The City of Greenfield will calculate leave date based upon a rolling 12 month period which is measured backward from the date an employee uses any FMLA leave. FMLA can be utilized for the following four circumstances:
  1. Because of the birth of a child of the employee and in order to care for the child;
  2. Because of the placement of a child with an employee for adoption or foster care;

3. Because a spouse, parent, or child (including biological, adopted, foster and step-children) of the employee has a “serious health condition” which requires care by the employee; or
  4. Because the employee suffers from a “serious health condition” which prevents the employee from being able to perform the functions of his/her position
- B. Service member family leave program: This specifically provides that an eligible employee may take up to 26 weeks of FMLA leave to care for a spouse, son, daughter, parent or next of kin (“nearest blood relative”) who is a covered service member.
1. The service member must have a “serious illness or injury” incurred while on active duty that may render the member unable to perform the duties of his or her office, grade, rank or rating and for which the member is:
    - a. (1) Undergoing medical treatment, recuperation or therapy;
    - b. (2) An outpatient; or
    - c. (3) On a temporary disability retired list.
  2. This provision also defines several key terms including “covered service member,” “next of kin” and “serious injury or illness” as it applies to a member of the Armed Forces.
  3. The FMLA caregiver leave is available only during a single 12-month period.
- C. The employee will be required to start FMLA leave at the same time he/she begins the extended sick leave.
- D. An “eligible” employee is an employee that has been on the City payroll for at least twelve (12) months and has worked at least 1250 work hours during the twelve (12) months preceding the request for leave.
- E. Requests are to be made in writing to the employee's Supervisor with approvals as required.
- F. In the case of leaves for the birth of a child or adoption, an employee is required to provide not less than thirty (30) days advance notice or as much advance notice as possible of the intent to take leave.
- G. Employees seeking leave for a foreseeable medical treatment for himself/herself or a family member must also give thirty-(30) days notice or as much notice as possible and, attempt to schedule the treatment so that the leave does not unduly disrupt City operations.
- H. The City has the right to request that the medical leave be properly certified by the health care provider and the employee is to provide such certification in a timely

manner. If an employee requests a leave to care for a family member, the certification must confirm that this is necessary and contain an estimate of the amount of time involved. When intermittent medical leave is sought, the certification must recite the anticipated dates and duration of treatment.

- I. Failure to return to work on the determined return to work day will be considered as a resignation by the employee.
- J. Utilization of Accumulated Paid Leave: Employees are required to utilize accumulated paid leave for all or part of the FMLA twelve (12) week period. Unpaid FMLA shall be authorized when all eligible accrued paid leaves have been exhausted (personal day, vacation). Family and Medical Leave and paid leave, for conditions that qualify under FMLA, run concurrently. The entire twelve (12) week FMLA is not in addition to the paid leave, just any remaining portion after the paid leave time is subtracted.
- K. Insurance Coverage during FMLA: Employees are entitled to maintain the same health benefits during the FMLA. However, it is the employee's responsibility to make arrangements through the Elected Official for his/her portion of the contribution of monthly premiums. Should an employee fail to return to work after his/her FMLA expires; the Department Head may recover from the employee, the City's share of health insurance premiums paid during the period of unpaid FMLA. Insurance premiums may not be recovered if the employee fails to return to work due to the continuation, recurrence, or onset of a serious health condition or circumstances beyond the employee's control.

## **Insurance Coverage**

### **36.70 Group Health Insurance**

- A. Beginning the first day of the month following hire date, a full-time employee and his/her dependents will be eligible for coverage under the current employee group health insurance plan. The employee's share will be deducted from the employee's paycheck automatically. However, the employee will need to read the health insurance information booklet for co-payment and benefit information. It is not mandatory that you enroll. However, you will be given the opportunity at the time of new hire, then not again until open enrollment each year. Those employees who wish to add a spouse and/or dependents(s) to their coverage may do so during open enrollment. Newborns, new spouses, and new stepchildren may be added within the first thirty days of the birth, marriage, etc.
- B. Employees, their spouses, or dependents who are enrolled in the City's group health insurance at the time of the employee's termination from employment (other than for

gross misconduct or as the result of retirement) or because of another qualifying event, may, unless otherwise provided by law, elect to continue participating in the group health insurance plan through the Consolidated Omnibus Reconciliation Act (COBRA). In addition to termination of employment (except for gross misconduct), qualifying events include death, divorce, legal separation of marriage, and other similar change of status (example: dependent age no longer qualifies for coverage under the parent's group plan). When there is a qualifying event, the employee must notify the Elected Official. The City administers the COBRA and the monthly payment/expense is paid directly to the City by the qualifying person or employee.

## **36.71 Life Insurance**

Beginning the first day of employment, all full time employees shall be enrolled in the City's life insurance plan. This plan covers the employee only and the employee's share shall be deducted automatically from his/her paycheck.

Benefits are described in detail in the booklet provided by the current insurer.

## **36.72 Deferred Compensation Plan**

Employees are eligible to participate in the City's Deferred Compensation Plan, under which he/she may defer a portion of the employee's pay.

The rules for this plan are available from the Clerk-Treasurer.

## **36.73 Workers' Compensation**

Workers' Compensation Insurance provides coverage for work-related injuries and illnesses as required under the Workers' Compensation laws of the State of Indiana. Workers' Compensation Insurance covers all authorized expenses related to the treatment of a work-related illness or injury and provides "lost time benefits" when an employee must be absent from work on a Workers' Compensation Disability Leave.

- A. An absence resulting from a work-related injury or illness will be considered as FMLA leave time if the employee has worked for Greenfield for at least 12 months and for a minimum of 1,250 hours in the immediately preceding calendar year. (not including holidays)
  - 1. The employee will be mailed the notification that he/she is being placed on FMLA during their absence from work while on Workers' Compensation.

## B. Reporting A Work Related Injury Or Illness

1. Any illness or injury related to an employee's work assignment must be reported to the Department Head so that the necessary forms can be completed and sent with the employee prior to evaluation and treatment, if possible. The City will inform an injured employee of its approved medical facility at the time of injury.
2. The Department Head or injured employee must notify the Elected Official as soon as possible so that all claims and compensation can be administered properly and in a timely manner.

## C. Compensation And Benefits For An Absence Resulting From A Work-Related Injury Or Illness And A Workers' Compensation Disability Leave

1. An employee injured while on duty will be paid by the City of Greenfield his/her full pay starting day one of the injury. If the absence from work extends longer than 21 calendar days, the initial seven-day waiting period will be retroactively paid by the Workers' Compensation Insurance Carrier. The employee will be required to return this payment to the City.
2. Employees injured while in a duty status will be paid the difference of their normal straight time salary and their Worker's Compensation Insurance Benefits by the City. The City will pay the employee their normal (straight time) bi-weekly paycheck. The employee will then turn the Workers' Compensation check over to the City to be reimbursed for difference.

D. Insurance Coverage: Group health insurance coverage and other insurance benefits will continue on the same basis, as coverage would have been provided had the employee been continuously employed during the period of a Workers' Compensation Disability Leave as long as the employee pays his/her regular portion of the premium on a timely basis. Employees must arrange with the Clerk-Treasurer's Office to pay their portion of this insurance coverage.

E. If an employee has a secondary job and is required to be off work from his/her primary job with the City due to a Workers' Compensation injury, he/she will be prohibited from working the secondary job until he/she is released to return to work at his/her primary job.

## 36.74 Acknowledgment of Receipt

I have received a copy of Greenfield's Policy and Procedure Manual. I understand that it is my responsibility to become familiar with the contents of this book, as it outlines my benefits and the City's policies and procedures. I also understand that nothing contained in this manual shall be construed as a contract or guarantee of employment.

Should I have any questions regarding these policies and procedures, I understand that I am encouraged to talk them over with my Supervisor.

Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Employee Signature: \_\_\_\_\_